

ACTS
AND
RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1954

TOGETHER WITH

TABLES SHOWING CHANGES IN THE STATUTES, ETC.

PUBLISHED BY

EDWARD J. CRONIN
Secretary of the Commonwealth




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ACTS AND RESOLVES

OF

MASSACHUSETTS

1954

 The General Court, which was chosen November 4, 1952, assembled on Wednesday, the sixth day of January, 1954, for its second annual session.

His Excellency CHRISTIAN A. HERTER and His Honor SUMNER G. WHITTIER continued to serve as Governor and Lieutenant Governor, respectively, for the political year of 1954.

ACTS.

AN ACT AUTHORIZING THE HADLEY WATER SUPPLY DISTRICT TO BORROW MONEY FOR WATER PURPOSES. *Chap. 1*

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 146 of the acts of 1905 is hereby amended by inserting after section 5 the following section: —
Section 5A. In addition to the amounts authorized to be borrowed under section five, and for the purpose of paying necessary expenses and liabilities incurred in further carrying out the provisions of this act, other than expenses for maintenance and operation, the district may borrow from time to time such sums as may be necessary not exceeding in the aggregate two hundred thousand dollars, and may issue bonds or notes of the district therefor which shall bear on their face the words, Hadley Water Supply District Loan, Act of 1954. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Except as provided herein, indebtedness incurred under this section shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts, exclusive of the limitation contained in the last paragraph of section eight of said chapter forty-four.

SECTION 2. This act shall take effect upon its passage.

Approved January 19, 1954.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY TO JOIN WITH THE CITY OF NORTH ADAMS IN THE PREPARATION OF PLANS AND SPECIFICATIONS FOR A BUILDING FOR COURT AND POLICE PURPOSES IN THE CITY OF NORTH ADAMS. *Chap. 2*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate court house accommodations and facilities for the district court of Northern Berkshire and for police purposes for the city of North Adams, the county commissioners of Berkshire county acting jointly with the city of North Adams, are hereby authorized and directed to cause plans and specifications to be prepared for a new building for court and police purposes in said city.

SECTION 2. For the purposes of this act, a sum not exceeding six thousand dollars may be expended, of which forty per cent shall be provided therefor in the appropriations

for the current year for said county, as the county's share for said plans and specifications.

SECTION 3. This act shall take effect upon its passage.

Approved January 20, 1954.

Chap. 3 AN ACT AUTHORIZING THE TOWN OF CHESTERFIELD TO RECEIVE AND ADMINISTER THE PROPERTY OF THE CHESTERFIELD HILL CEMETERY ASSOCIATION IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The Chesterfield Hill Cemetery Association, organized in eighteen hundred and ninety-five in the town of Chesterfield, hereinafter called the association, may, by deed duly executed, convey and transfer to said town, and said town, upon its acceptance of an offer of such conveyance and transfer by vote of the town at a meeting held within six months of the effective date of this act, is hereby authorized and empowered to receive, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property of the association not subject to any trust, and thereupon, and upon the transfer of the trust funds as hereinafter provided, the association shall be dissolved; and the cemetery of the association shall be and become a public burial place, ground or cemetery, and shall be under the jurisdiction and control of the said town under all applicable provisions of general law.

SECTION 2. In so far as authorized by a decree of a court of competent jurisdiction, and in compliance with the terms and conditions of such decree, said town, upon its acceptance of an offer of conveyance and transfer as provided in section one, may receive from the association a conveyance and transfer of, and administer, all funds or other property held by the association in trust for the perpetual care of the lots in its cemetery and for other purposes, and also any property devised or bequeathed to the association under the will of any person living at the time of said transfer or conveyance or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited in trust with any savings bank under authority of section thirty-seven or section thirty-eight of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of the association, or of any lots in its cemetery, may, after such conveyance, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purposes of said trusts.

SECTION 3. All real and personal property and property rights, acquired by said town from the association under authority of this act, shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery

purposes; provided, that all rights which any persons have acquired in the cemetery of the association or any lots therein shall remain in force to the same extent as if this act had not been passed and such transfer had not occurred. The records of the association shall be delivered to the clerk of said town, and such clerk may certify copies thereof.

SECTION 4. This act shall take effect upon its passage.

Approved January 20, 1954.

AN ACT REDUCING TAXES PAYABLE UPON INCOME DERIVED FROM PROFESSIONS, EMPLOYMENTS, TRADE OR BUSINESS.

Chap. 4

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for an immediate reduction in taxes payable upon income derived from professions, employments, trade or business, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Against the "total tax", as defined in section two of this act, due and payable during the calendar year nineteen hundred and fifty-four, there shall be allowed a reduction of an amount equal to twenty-five per cent of "that portion of the normal tax, based on income from professions, employments, trade or business", as defined in section three of this act.

Twenty-five
per cent
reduction of
normal tax.

SECTION 2. For the purposes of this act "total tax" shall mean the aggregate of all taxes payable, including surtaxes and additional taxes upon income, imposed by chapter sixty-two of the General Laws, and all acts in amendment thereof or in addition thereto, as computed without regard to the reduction provided in section one of this act.

SECTION 3. For the purposes of this act "that portion of the normal tax based on income from professions, employments, trade or business" shall mean the sum of the taxes imposed by —

(a) subsection (b) of section five of chapter sixty-two of the General Laws, and

(b) the additional tax imposed by section two of chapter two hundred and forty-six of the acts of nineteen hundred and fifty-three.

SECTION 4. The total reduction allowable under section one of this act shall be subtracted from that portion of the taxes on income otherwise distributable to the General Fund of the commonwealth.

SECTION 5. This act shall take effect as of January first, nineteen hundred and fifty-four.

Approved January 20, 1954.

- Chap.* 5 AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF BERKSHIRE TO PREPARE PLANS AND SPECIFICATIONS FOR ALTERATIONS AND ADDITIONS TO THE SUPERIOR COURT BUILDING IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate accommodations and facilities in the superior court building in the city of Pittsfield, the county commissioners of Berkshire county are hereby authorized and directed to cause plans and specifications to be prepared for necessary and desirable alterations and additions to said building.

SECTION 2. For the purposes of this act, said county commissioners may expend a sum not exceeding three thousand dollars, as may be provided therefor in the appropriations for the current year for said county.

SECTION 3. This act shall take effect upon its passage.

Approved January 21, 1954.

- Chap.* 6 AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWN OF AMESBURY OF THE QUESTION OF THE ACCEPTANCE OF CERTAIN PROVISIONS OF LAW REGULATING THE HOURS OF DUTY OF PERMANENT MEMBERS OF FIRE DEPARTMENTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of section fifty-eight B of chapter forty-eight of the General Laws, the question of the acceptance of said section may be submitted for acceptance to the voters of the town of Amesbury at its next annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: — "Shall section fifty-eight B of chapter forty-eight of the General Laws, providing for a forty-eight hour week for permanent members of fire departments, be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, said section fifty-eight B shall take effect in said town ninety days thereafter.

SECTION 2. This act shall take effect upon its passage.

Approved January 21, 1954.

- Chap.* 7 AN ACT AUTHORIZING THE TOWN OF MILLIS TO USE CERTAIN PARK LAND FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Millis is hereby authorized to use for school and school yard purposes the park land shown as Lot B, containing 19.85 acres, on "Plan of Land in Millis, Mass. Purchased by the Town of Millis from Ernest L. Hill, Scale 1 in. = 100 ft., E. Worthington, Eng'r, Apr. 5, 1922", which plan is filed as No. 180 for the year 1922 in

Norfolk Registry of Deeds with deed of Ernest L. Hill to said Town of Millis dated April 10, 1922, recorded with said Deeds, Book 1513, page 313.

SECTION 2. This act shall take effect upon its passage.

Approved January 21, 1954.

AN ACT AUTHORIZING THE TRUSTEES OF A FUND FOR THE SUPPORT OF A CONGREGATIONAL MINISTER IN THE FIRST PARISH IN BRADFORD TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE. Chap. 8

Be it enacted, etc., as follows:

Section 3 of an act passed by the general court of Massachusetts February 10, 1804, entitled "An Act to Incorporate Certain Persons as Trustees of a Fund for the Support of a Congregational Gospel Minister in the First Parish in Bradford, in the County of Essex", as amended by chapter 77 of the acts of 1909, is hereby further amended by striking out, in line 16, the word "fifty" and inserting in place thereof the words: — one hundred. *Approved January 21, 1954.*

AN ACT INCREASING THE AMOUNT OF MONEY THAT MAY BE EXPENDED BY THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY FOR THE PURPOSE OF PROMOTING THE RECREATIONAL, INDUSTRIAL AND AGRICULTURAL ADVANTAGES OF SAID COUNTY. Chap. 9

Be it enacted, etc., as follows:

The first sentence of section 1 of chapter 106 of the acts of 1939, as amended by chapter 165 of the acts of 1949, is hereby further amended by striking out, in line 5, the words "five thousand" and inserting in place thereof the words: — eight thousand five hundred, — so as to read as follows: — The county commissioners of Franklin county, for the purpose of advertising the recreational, industrial and agricultural advantages of said county, may expend such sums, not exceeding, in the aggregate, eight thousand five hundred dollars in any one year, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid.

Approved January 21, 1954.

AN ACT AUTHORIZING THE COMMISSIONER OF LABOR AND INDUSTRIES TO SUSPEND THE OPERATION OF CERTAIN LABOR LAWS. Chap. 10

Be it enacted, etc., as follows:

The commissioner of labor and industries is hereby authorized, in conformity with Article XX of Part the First of the Constitution of the Commonwealth, to suspend until July first, nineteen hundred and fifty-five, the application or May suspend if after hearing there is a finding of hardship or emergency.

operation of any provision of chapter one hundred and forty-nine of the General Laws or of any rule or regulation made thereunder, regulating, limiting or prohibiting the employment of women, or of minors over the age of sixteen, or both. The commissioner shall exercise this authority when he finds, after opportunity has been given to interested parties to be heard, that an emergency exists or that conditions of hardship in an industry, branch of an industry, or individual establishment require or justify the suspension of any provision of such laws, rules or regulations. Suspensions issued by the commissioner shall prescribe, and may be either granted or limited to, one or more particular departments, operations or occupations within an establishment, or a particular industry or branch of an industry. The commissioner shall appoint industry advisory committees, on which employers and employees shall be equally represented, to consult and advise with him in matters relating to the suspensions authorized by this act.

Approved January 21, 1954.

Chap. 11 AN ACT RELATIVE TO THE CORPORATE POWERS OF THE WINCHESTER POLICE RELIEF ASSOCIATION, INC.

Be it enacted, etc., as follows:

The Winchester Police Relief Association, Inc., a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing, to pay to such member such sum, not exceeding five hundred dollars, as may be determined by vote of said corporation.

Approved January 21, 1954.

Chap. 12 AN ACT AUTHORIZING THE TRANSFER OF CERTAIN CEMETERY PROPERTIES AND FUNDS TO THE TOWN OF SOMERSET.

Be it enacted, etc., as follows:

SECTION 1. Each of the following-named cemetery associations, situated in the town of Somerset, to wit:—Palmer Street Cemetery Association (formerly called Somerset Village Cemetery Company), Gibbs Cemetery Association Inc., and Nathan Slade Cemetery Association, Inc., or any of them, hereinafter called associations, may, by deed duly executed, convey and transfer to said town, and said town is hereby authorized and empowered to receive, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property of the associations not subject to any trust, and thereupon, and upon the transfer of the trust funds as hereinafter provided, the associations shall be dissolved; and the cemeteries of the associations shall be and become public burial places, grounds or cemeteries.

SECTION 2. In so far as authorized by a decree of a court of competent jurisdiction, and in compliance with the terms and conditions of such decree, said town may receive from

the associations a conveyance and transfer of, and administer, all funds or other property held by the associations in trust for the perpetual care of the lots in the cemeteries and for other purposes, and also any property devised or bequeathed to the associations under the will of any person living at the time of said transfer or conveyance or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited in trust with any savings bank under authority of section thirty-seven or section thirty-eight of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of the associations, or of any lots in the cemeteries, may, after such conveyance, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purposes of said trusts.

SECTION 3. All real and personal property and property rights, acquired by said town from the associations under authority of this act, shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided, that all rights which any persons have acquired in the cemeteries of the associations, or any lots therein, shall remain in force to the same extent as if this act had not been passed and such transfer had not occurred. The records of the associations shall be delivered to the clerk of said town and such clerk may certify copies thereof.

SECTION 4. This act shall take full effect upon its acceptance by a majority of the registered voters of the town of Somerset voting thereon at a regular or special town meeting held in the current year, but not otherwise.

Approved January 21, 1954.

AN ACT RELATIVE TO THE PAYMENT OF SALARY OR WAGES OWING BY POLITICAL SUBDIVISIONS OF THE COMMONWEALTH TO THEIR OFFICERS AND EMPLOYEES UNDER CERTAIN CIRCUMSTANCES.

Chap. 13

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 111E, as most recently amended by section 2 of chapter 436 of the acts of 1953, and inserting in place thereof the following section: — *Section 111E.* Whenever the employment of any person subject to section one hundred and eleven or sections one hundred and eleven A, one hundred and eleven D or one hundred and eleven G is terminated during a year by dismissal through no fault or delinquency on his part or by resignation, retirement or death, without his having been granted the vacation to which he is entitled under such section, he, or in case of his death, his estate, shall be paid, at the regular rate of compensation payable to him at the termination of his employment, an amount in lieu of such vacation; provided, that no

G. L. (Ter. Ed.), 41, § 111E, etc., amended.

Payment of salary or wages to certain persons, regulated.

monetary or other allowance has already been made therefor. The official head of the department in which the person was last employed shall enter on the departmental payroll all amounts payable under this section.

Approved January 21, 1954.

Chap. 14 AN ACT AUTHORIZING THE TOWN OF ANDOVER TO MAKE ITS TREE DEPARTMENT AND MOTH DEPARTMENT DIVISIONS OF ITS DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

SECTION 1. The town of Andover is hereby authorized to consolidate the tree department and the moth department with the department of public works of said town and to make said tree and moth departments divisions of said department of public works.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Andover at the next annual town election in the form of the following question which shall be placed on the official ballot to be used at said election: "Shall an act passed by the General Court in the current year, entitled 'An Act authorizing the town of Andover to make its tree department and moth department divisions of its department of public works', be accepted?" If a majority of votes cast in answer to said question is in the affirmative, this act shall become fully effective beginning with, and for the purposes of, the annual town election in the year nineteen hundred and fifty-four, but not otherwise.

Approved January 21, 1954.

Chap. 15 AN ACT AUTHORIZING THE PURCHASE BY THE TOWN OF NEEDHAM FOR THE PURPOSE OF PROTECTING ITS WATER SUPPLY OF CERTAIN LAND LOCATED IN THE TOWN OF WELLESLEY.

Be it enacted, etc., as follows:

SECTION 1. The town of Needham is hereby authorized to purchase, for the purpose of protecting the town water supply, a certain parcel of land adjacent to the Charles river in the town of Wellesley, owned by Frederick B. Philbrick and containing approximately three and three tenths acres, said parcel being bounded southeasterly by the Needham-Wellesley town line seven hundred and seventy-five feet more or less, westerly and northwesterly by the thread of the stream of the Charles river eight hundred and sixty-five feet more or less, and northeasterly by other land of Frederick B. Philbrick two hundred and twenty-five feet more or less. Said parcel is a part of the premises described in deed of Walter Hunnewell and Arnold W. Hunnewell, Trustees under the will of Isabella P. Shaw, to Frederick B. Philbrick dated December twenty-eight, in the year nineteen hundred and fifty-one, recorded in Norfolk Registry of Deeds, book three thousand and fifty-five, page three hundred and twenty-

three. Said purchase shall be for the consideration of not exceeding the one hundred dollars appropriated for said purpose on March sixteenth, in the year nineteen hundred and fifty-three, by the annual town meeting of the town of Needham for the year nineteen hundred and fifty-three, and the action of said town meeting in voting the appropriation for said purpose is hereby validated.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1954.

AN ACT VALIDATING PROCEEDINGS OF THE ANNUAL TOWN MEETING OF THE TOWN OF SOUTH HADLEY.

Chap. 16

Be it enacted, etc., as follows:

SECTION 1. All proceedings at the annual town meeting of the town of South Hadley held on Saturday, March fifteenth, nineteen hundred and fifty-two, in so far as said proceedings may be illegal or invalid by reason of the fact that the warrant for said meeting was not properly posted, are hereby made legal and valid.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1954.

AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS AND NOTES TO BE ISSUED BY THE COMMONWEALTH.

Chap. 17

Whereas, The deferred operation of this act would cause great inconvenience in the issues of bonds and notes to carry out the purposes of various acts passed at the nineteen hundred and fifty-three session of the general court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section nine of chapter four hundred and forty of the acts of nineteen hundred and fifty-three shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and fifty-six, as recommended by the governor in a message to the general court, dated January seventh, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 2. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under chapter six hundred and sixty of the acts of nineteen hundred and fifty-three, to provide for a special capital outlay program for the commonwealth, shall be issued for maximum terms of ten years, and shall be payable not earlier than July first, nineteen hundred and

fifty-four, nor later than June thirtieth, nineteen hundred and sixty-eight, as recommended by the governor in a message to the general court, dated January seventh, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 3. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under chapter six hundred and fifty-one of the acts of nineteen hundred and fifty-three, relative to the alleviation of the financial burden imposed on cities, towns and counties by the nineteen hundred and fifty-three tornado, shall be issued for maximum terms of ten years, and shall be payable not earlier than July first, nineteen hundred and fifty-four, nor later than June thirtieth, nineteen hundred and sixty-three, as recommended by the governor in a message to the general court, dated January seventh, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

Approved January 27, 1954.

Chap. 18

Emergency
preamble.

AN ACT REVIVING J. TRACHTENBURG, INC.

Whereas, The deferred operation of this act would delay the corporation revived thereby in resuming the exercise of its former corporate powers, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

J. Trachtenburg, Inc., a Massachusetts corporation incorporated on January eleventh, nineteen hundred and twenty-eight under general law, whose term of duration terminated in the current year by reason of a provision in its charter that its duration is to be for a term of twenty-five years, is hereby revived with the same powers, duties and obligations as if the term of its duration had not terminated as aforesaid and the term of its duration shall, upon its revival, be for a further period of fifty years.

Approved January 27, 1954.

Chap. 19 AN ACT RELATIVE TO THE TRUSTEES OF ANDOVER THEOLOGICAL SEMINARY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to establish forthwith the number of trustees of Andover Theological Seminary, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 260 of the acts of 1907, as amended by chapter 43 of the Special Acts of 1919, is hereby

further amended by inserting after the word "Seminary", in line 26, the words: —, and the number of the Trustees aforesaid shall not at any one time be more than twenty-five nor less than seven, a majority of those in office at a given time to constitute a quorum for transacting business, — so that the fourth sentence will read as follows: — The Trustees of Andover Theological Seminary shall be governed by provisions and regulations as to organization, membership and the conduct of business similar in all respects to those by which the Trustees of Phillips Academy are now governed, but the principal instructor of Phillips Academy shall not by virtue of his office be a trustee of Andover Theological Seminary, and the number of the Trustees aforesaid shall not at any one time be more than twenty-five nor less than seven, a majority of those in office at a given time to constitute a quorum for transacting business.

SECTION 2. This act shall take full effect on its acceptance by vote of the Trustees of Andover Theological Seminary at any annual or regular meeting or at any other meeting called for the purpose and held before January first, nineteen hundred and fifty-five.

Approved January 27, 1954.

AN ACT DESIGNATING THE INFIRMARY FOR MEN AT THE MONSON STATE HOSPITAL AS THE JOSEPH L. SIMON BUILDING.

Chap. 20

Be it enacted, etc., as follows:

SECTION 1. The infirmary for men to be erected at the Monson state hospital shall be known and designated as the Joseph L. Simon Building in honor of Joseph L. Simon, who, as a member and chairman of the board of trustees of the Monson state hospital as well as president of the Massachusetts State Hospital Trustees Association has devoted many years in the interest of the less fortunate members of society who required care in state mental institutions.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1954.

AN ACT DESIGNATING THE BLIND UNIT AT THE WALTER E. FERNALD STATE SCHOOL AS THE RANSOM A. GREENE BUILDING.

Chap. 21

Be it enacted, etc., as follows:

SECTION 1. The blind unit being erected at the Walter E. Fernald state school shall be known and designated as the Ransom A. Greene Building, in honor of Dr. Ransom A. Greene who devoted his life to the care of the less fortunate members of the community.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1954.

Chap. 22 AN ACT AUTHORIZING THE TOWN OF SHUTESBURY TO RECEIVE
AND ADMINISTER THE PROPERTY OF A CEMETERY THEREIN,
KNOWN AS THE LUTHER HENRY TOMBYARD.

Be it enacted, etc., as follows:

SECTION 1. The town of Shutesbury is hereby authorized to acquire by gift, purchase or otherwise, title to certain land in said town used as a private cemetery and known as the Luther Henry Tombyard, and located westerly from the West Cemetery, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property not subject to any trust, and thereupon, and upon the transfer of trust funds, if any, as hereinafter provided, said cemetery shall be and become a public burial place, ground or cemetery.

SECTION 2. In so far as authorized by a decree of a court of competent jurisdiction and in compliance with the terms and conditions of such decree, the town of Shutesbury may receive from the proprietors of the Luther Henry Tombyard a conveyance and transfer of, and administer, all funds or other property held in trust for the perpetual care of the lots in the cemeteries and for other purposes, and also any property bequeathed to and for the benefit of said Luther Henry Tombyard under the will of any person living at the time of said transfer and conveyance or under the will of any deceased person not then probated.

Interest and dividends accruing on funds deposited in trust with any savings bank under authority of section thirty-seven or section thirty-eight of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of said cemetery or tombyard, or of any lots therein, may after such transfer and conveyance be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purpose of said trusts.

SECTION 3. All property and property rights acquired by said town from the owners of said cemetery or tombyard shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided, that all rights which any persons have acquired in said cemetery or tombyard or any lots therein shall remain in force to the same extent as if this act had not been passed and such transfer had not occurred. The records of the said cemetery or tombyard shall be delivered to the clerk of said town and he may certify copies thereof.

SECTION 4. This act shall take effect upon its passage.

Approved January 27, 1954.

AN ACT AUTHORIZING AGRICULTURAL AND OTHER CO-OPERATIVE CORPORATIONS WITHOUT CAPITAL STOCK TO PROVIDE IN BY-LAWS FOR VOTING OF MEMBERS BY PROXY.

Chap. 23

Be it enacted, etc., as follows:

Section 13 of chapter 157 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "directors", in line 6, the words: — ; for voting of members by proxy, and the mode thereof, within such limitations and restrictions as may be specified therein, — so as to read as follows: — *Section 13.* In addition to the powers granted by section thirteen of chapter one hundred and fifty-six, any corporation organized under section ten may provide in its by-laws for the election of directors by districts; for the election of advisory directors who are not members, the number of whom shall not be greater than one fifth the total number of directors; for voting of members by proxy, and the mode thereof, within such limitations and restrictions as may be specified therein; for voting of members by mail in elections and on questions concerning the operation and business of the corporation; for the admission, withdrawal, suspension or expulsion of members; for dues and assessments to be paid by members and the conditions under which such dues and assessments shall be imposed and collected; for determining the rights and interests of members in the property of the corporation, whether equal or unequal; for establishing the basis of voting by the members, especially whether the votes of all members shall be equal, or in proportion to the land area leased or used by each member for production of the products handled by the corporation, or in proportion to the quantity of such products delivered by each member to the corporation during the preceding year; for an approved or established form of marketing contract; and for fines or other penalties for violation of its by-laws or marketing contract. No by-law shall be amended or repealed nor any new by-law adopted, unless notice of the proposed action is given in the call for the meeting at which the proposal is to be considered, or in the call for the vote if the vote is to be taken by mail.

G. L. (Ter. Ed.), 157, § 13, amended.

Proxy voting in certain co-operative corporations, authorized.

Approved January 27, 1954.

AN ACT RELATIVE TO THE POWER OF THE AUDITOR OF THE CITY OF BOSTON TO APPLY CERTAIN INCOME AND TAXES AND MAKE CERTAIN TRANSFERS IN CLOSING THE ACCOUNTS OF A FISCAL YEAR.

Chap. 24

Be it enacted, etc., as follows:

Section 3B of chapter 486 of the acts of 1909, inserted by section 1 of chapter 604 of the acts of 1941, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — After December tenth in each year the city auditor may, with the approval of the mayor in each instance, apply any income and taxes not disposed of

and make transfers from any appropriation to any other appropriation for the purpose only of closing the accounts of the fiscal year.

Approved January 27, 1954.

Chap. 25 AN ACT TO PROVIDE FOR THE FILLING OF VACANCIES IN THE FULL NUMBER OF TOWN MEETING MEMBERS IN THE TOWN OF NATICK.

Be it enacted, etc., as follows:

SECTION 1. Chapter 2 of the acts of 1938 is hereby amended by striking out section 8 and inserting in place thereof the following section:—*Section 8.* In the event that a vacancy occurs in the full number of town meeting members from any precinct, whether arising from a failure of the registered voters thereof to elect, or from any other cause, the town clerk shall at once choose the person who received the highest number of votes as a defeated candidate for the office of town meeting member in the preceding election in the precinct where the vacancy occurs, and shall notify him of his election as a town meeting member. If for any reason this candidate cannot accept such appointment, the next highest in recorded vote of the defeated candidates in that precinct shall be appointed. In the event of a tie vote of those who received the highest votes as such defeated candidates, or in the event there is no such defeated candidate available, then the town clerk shall call together the town meeting members of the precinct where the vacancy occurs, and they shall, by majority vote of those members present, elect any registered voter of that precinct to fill such vacancy. The town clerk shall count the ballots, make a certificate of the choice, and notify the person so chosen; and, upon receipt by the town clerk of a written acceptance by the person so chosen, that person shall be deemed elected and qualified as a town meeting member, subject to the right of all the town meeting members to judge of the election and qualification of members, as provided in section four.

SECTION 2. This act shall take full effect upon its acceptance by the town of Natick by a majority vote of the town meeting members present and voting thereon at a limited town meeting called for the purpose, but not otherwise.

Approved January 27, 1954.

Chap. 26 AN ACT TO CONSOLIDATE THE POWERS, DUTIES AND TRUSTS OF THE PARK COMMISSIONERS AND THE COMMISSIONERS OF PUBLIC WORKS IN THE TOWN OF NATICK.

Be it enacted, etc., as follows:

SECTION 1. All the powers, duties and trusts of the park commissioners and the commissioners of public works of the town of Natick are hereby transferred to, and shall be exercised and performed by, three commissioners to be known as commissioners of public works and parks.

SECTION 2. The commissioners of public works holding office on December thirty-first next following acceptance of this act as hereinafter provided shall continue in office as commissioners of public works and parks, and upon the expiration of their respective terms of office their successors shall be elected in the same manner as provided by law prior to the effective date of this act.

SECTION 3. This act shall take full effect on December thirty-first next following its acceptance by the town of Natick by a majority vote of the town meeting members present and voting thereon at a limited town meeting called for the purpose within two years of the passage of this act, but not otherwise.

Approved January 27, 1954.

AN ACT AUTHORIZING THE TOWN OF NATICK TO USE CERTAIN Chap. 27
PARK LAND FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Natick is hereby authorized to use the land known as the Major Daniel J. Murphy Playground situate on North Main street in said town, for the erection of a public school building or an addition thereto or for other school uses, and for all purposes incidental thereto; and such land shall be under the same care and control as other school property and otherwise free from any trust.

SECTION 2. This act shall take full effect upon its acceptance by the town of Natick by a majority vote of the town meeting members present and voting thereon at a limited town meeting called for the purpose, but not otherwise.

Approved January 27, 1954.

AN ACT CLARIFYING THE ACCEPTANCE OF THE PROVISIONS Chap. 28
OF THE CIVIL SERVICE LAWS BY THE TOWN OF FAIRHAVEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, all persons employed in either permanent or temporary offices or positions of the town of Fairhaven, except call members of the fire department, on May fifteenth, nineteen hundred and fifty-three, and who are employed on the effective date of this act, are hereby deemed to be permanently appointed to the office or position held by them on said May fifteenth, in accordance with the civil service laws and rules.

SECTION 2. Notwithstanding the action of the voters of the town of Fairhaven on February second, nineteen hundred and fifty-three, the provisions of the civil service laws and rules shall not apply to the call members of the fire department of said town.

SECTION 3. This act shall take full effect upon its acceptance by a majority of the town meeting members of said town present and voting thereon at a town meeting, but not otherwise.

Approved January 27, 1954.

Chap. 29 AN ACT AUTHORIZING THE TOWN OF SOUTH HADLEY TO CONSTRUCT A SEWAGE TREATMENT WORKS, AN INFLUENT SEWER, AN OUTFALL SEWER, AND COMMON DRAINS AND SEWERS WITHIN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 584 of the acts of 1951 is hereby amended by striking out, in lines 6 and 7, the words "for the purposes of constructing" and inserting in place thereof the words:— and to construct either on land so acquired or on land in the town of South Hadley.

SECTION 2. This act shall take effect upon its passage.

Approved January 28, 1954.

Chap. 30 AN ACT AUTHORIZING THE TOWN OF WAREHAM TO APPROPRIATE MONEY FOR THE PURPOSE OF ADVERTISING THE ADVANTAGES OF THE TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Wareham is hereby authorized to appropriate annually a sum of money not exceeding twenty-five hundred dollars for the purpose of promoting the interests of the town by advertising its attractions, advantages and other matters tending to advance the interests of the town.

SECTION 2. This act shall take effect upon its passage.

Approved January 28, 1954.

Chap. 31 AN ACT RELATIVE TO THE FILING OF CERTIFICATES OF NOMINATION.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 53, § 5, amended.

Filing of certain certificates of nomination, required.

The first paragraph of section 5 of chapter 53 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following:—, except that the secretary of a political party convention held for the purpose of endorsing candidates for nomination shall file such certificate within ten days of the termination of the convention.

Approved January 28, 1954.

Chap. 32 AN ACT RELATIVE TO THE NUMBER OF SIGNATURES REQUIRED FOR A SPECIAL TOWN MEETING AND FOR MATTERS TO BE INSERTED IN THE WARRANT THEREFOR, AND THE TIME OF HOLDING SAID MEETING.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 39, § 10, etc., amended.

Warrant, contents of.

Section 10 of chapter 39 of the General Laws, as most recently amended by section 1 of chapter 152 of the acts of 1949, is hereby further amended by striking out the fifth and sixth sentences and inserting in place thereof the following two sentences:— The selectmen shall insert in the warrant for the annual meeting all subjects the insertion of which

shall be requested of them in writing by ten or more registered voters of the town and in the warrant for every special town meeting all subjects the insertion of which shall be requested of them in writing by one hundred registered voters or by ten per cent of the total number of registered voters of the town whichever number is the lesser. The selectmen shall call a special town meeting upon request in writing of two hundred registered voters or of twenty per cent of the total number of registered voters of the town, whichever number is the lesser; such meeting to be held not later than forty-five days after the receipt of such request, and shall insert in the warrant therefor all subjects the insertion of which shall be requested by said petition.

Special town meetings, calling of, signatures, etc.

Approved January 28, 1954.

AN ACT INCREASING THE AMOUNT WHICH CITIES AND TOWNS MAY APPROPRIATE TO MEET THE EXPENSE OF EXPERT APPRAISAL OF TAXABLE REAL ESTATE.

Chap. 33

Be it enacted, etc., as follows:

The next to the last paragraph of section 4 of chapter 40 of the General Laws, inserted by chapter 521 of the acts of 1950, is hereby amended by striking out, in line 5, the words "one twentieth" and inserting in place thereof the words: — one fourth.

G. L. (Ter. Ed.), 40, § 4, etc., amended.

Approved January 28, 1954.

AN ACT PROVIDING FOR THE PREPARATION OF PLANS FOR THE PROMPT EVACUATION OF THE STATE HOUSE IN CASE OF FIRE OR OTHER DISASTER.

Chap. 34

Be it enacted, etc., as follows:

Chapter 143 of the General Laws is hereby amended by inserting after section 2B, inserted by chapter 547 of the acts of 1949, the following section: — *Section 2C.* The state superintendent of buildings and the sergeant-at-arms shall prepare plans and make all necessary preparations for effecting the prompt, speedy and safe evacuation of the state house and the several floors, basements and portions thereof, in case of fire or other disaster, and shall, from time to time, hold fire drills.

G. L. (Ter. Ed.), 143, new § 2C, added.

Evacuation of state house, provided.

In carrying out the provisions of this section, they shall be entitled to the assistance of all constitutional officers, department heads, capitol police officers and general court officers, and may request the co-operation of the fire department of the city of Boston. *Approved January 28, 1954.*

AN ACT RELATIVE TO THE TERM OF OFFICE OF THE CLERK OF THE LUNENBURG WATER DISTRICT OF LUNENBURG.

Chap. 35

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of chapter seventeen of the acts of nineteen hundred and thirty-nine to the contrary, the clerk of the Lunenburg Water District of

Lunenburg, established by said chapter seventeen, shall be elected for a term of three years, beginning with the annual district meeting in the current year and at each district meeting in every third year thereafter.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1954.

Chap. 36 AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF PLYMOUTH MAY APPROPRIATE FOR MUNICIPAL ADVERTISING PURPOSES AND FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 76 of the acts of 1950, as amended by section 1 of chapter 18 of the acts of 1953, is hereby further amended by striking out, in line 3, the word "seven" and inserting in place thereof the word: — ten, — so as to read as follows: — *Section 1.* The town of Plymouth may, by a majority vote, appropriate each year a sum not exceeding ten thousand dollars for advertising the advantages of the town and for providing amusements or entertainments of a public character. The money so appropriated by the town shall be expended under the direction of the selectmen.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1954.

Chap. 37 AN ACT TO RE-ESTABLISH AND EXTEND THE HARBOR LINE AROUND THE LITTLE MYSTIC CHANNEL TO MYSTIC RIVER IN THAT PART OF THE CITY OF BOSTON KNOWN AS CHARLESTOWN.

Be it enacted, etc., as follows:

SECTION 1. The harbor line around Little Mystic channel, formerly known as South channel, is hereby changed and re-established as follows: — The location of each of the angle points in the lines hereinafter described is fixed by a distance, hereinafter called longitude, in feet, from a meridian passing through the center of the apex of the dome of the state house in Boston, and by a distance, hereinafter called latitude, in feet, from a line at right angles to said meridian and passing through the said center of the apex of the state house dome, and the bearings refer to the true meridian passing through the center of said apex.

Beginning at point N in latitude seven thousand six hundred eighty-three and seventy-one hundredths feet north and longitude four thousand one hundred ninety-three and eighty-eight hundredths feet east, said point N being defined in chapter four hundred seventy-five of the acts of nineteen hundred and forty-eight; thence north seventy-eight degrees nine minutes eight seconds west, true bearing, and eight hundred seventy feet to point O, in latitude seven thousand eight hundred sixty-two and thirty-three hundredths feet north and longitude three thousand three hundred forty-two and forty-two hundredths feet east; thence south

seventy-eight degrees twenty-nine minutes twenty-four seconds west, true bearing, and seventy-one and three tenths feet to point P, in latitude seven thousand eight hundred forty-eight and ten hundredths feet north and longitude three thousand two hundred seventy-two and fifty-four hundredths feet east; thence north seventy-eight degrees fifteen minutes fourteen seconds west, true bearing, and one thousand six hundred forty-six and fifty-eight hundredths feet to point R, in latitude eight thousand one hundred eighty-three and thirty hundredths feet north and longitude one thousand six hundred sixty and forty-four hundredths feet east; thence north sixty-two degrees forty-six minutes twenty-two seconds west, true bearing, and five hundred thirty-nine and four hundredths feet to point S, in latitude eight thousand four hundred twenty-nine and ninety-two hundredths feet north and longitude one thousand one hundred eighty-one and thirteen hundredths feet east; thence north seven degrees seventeen minutes twelve seconds east, true bearing, and one hundred thirty-eight and forty-five hundredths feet to point T, in latitude eight thousand five hundred sixty-seven and twenty-four hundredths feet north and longitude one thousand one hundred ninety-eight and sixty-nine hundredths feet east; thence south seventy-eight degrees twenty-one minutes forty-five seconds east, true bearing, and three thousand one hundred ninety-one and forty hundredths feet to point U, in latitude seven thousand nine hundred twenty-three and forty-eight hundredths feet north and longitude four thousand three hundred twenty-four and forty-nine hundredths feet east; thence north eleven degrees fifty-one minutes forty-seven seconds east, true bearing, and four hundred seventy-two and ninety-two hundredths feet to point V, in latitude eight thousand three hundred eighty-six and thirty-hundredths feet north and longitude four thousand four hundred twenty-one and seventy-one hundredths feet east; thence north twenty-one minutes forty-six seconds west, true bearing, and five hundred twenty-nine and eleven hundredths feet to point W, in latitude eight thousand nine hundred fifteen and forty-hundredths feet north and longitude four thousand four hundred eighteen and thirty-six hundredths feet east.

SECTION 2. All previous acts established or defining the harbor line around Little Mystic channel to Mystic river from point N to point W are hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved January 29, 1954.

AN ACT AUTHORIZING THE TOWN OF MANSFIELD TO INCREASE *Chap. 38*
 ANNUALLY THE SCHOLARSHIP FUND MAINTAINED FOR
 GRADUATES OF THE HIGH SCHOOL OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Mansfield is hereby authorized to raise and appropriate a sum not exceeding, in any one year,

two thousand dollars, to be in addition to any amounts theretofore appropriated for the purpose, to increase the amount of the scholarship fund authorized under chapter fifty of the acts of nineteen hundred and fifty-two, the income of which may be used for the higher education of graduates of the high school of said town living therein, and said fund shall be dedicated as a memorial to veterans of World War II.

SECTION 2. Action taken under authority of this act at the annual meeting of the town of Mansfield held in the current year shall be as effective in all respects as though this act had been in full force and effect on the date when the warrant for such meeting was posted.

SECTION 3. This act shall take effect upon its passage.

Approved January 29, 1954.

Chap. 39 AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF BARNSTABLE TO ACT AS A BOARD OF PUBLIC WORKS, EXERCISING ALL THE POWERS OF CERTAIN BOARDS, DEPARTMENTS AND OFFICERS OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. There shall be established in the town of Barnstable a board of public works, hereinafter called the board, to consist of three members. From and after the next annual town election following the acceptance of this act, the board of selectmen, as constituted from time to time shall be termed, constituted and serve as a board of public works, and the selectmen shall so serve during their respective terms of office.

SECTION 2. The board shall succeed to and be vested with all the rights, powers, duties, facilities, properties and appropriations now or from time to time vested by general or special law, or by vote of the town in the following boards, commissions, committees, departments and offices in said town, to wit: surveyor of highways, park commissioners, sewer commissioners, tree warden, moth superintendent, and such board shall have custody and control of cemeteries, harbors, beaches, town landings and sewer and rubbish disposal areas and shall be responsible for the construction, maintenance and repair of all public buildings and grounds, excepting school properties and the buildings and equipment of the airport and all town engineering work shall be performed under the direction of said board.

No contracts or liabilities in force when this act becomes fully effective shall be affected hereby, but the board shall be deemed the lawful successor of the aforesaid departments, committees, commissions, boards and offices relative to such contracts or liabilities. It shall be the duty of the aforesaid departments, commissions, boards and offices when this act becomes fully effective to turn over to the board all contracts, papers, documents, plans and property in their custody and control, and to furnish to the board such information as it may request.

SECTION 3. The board shall, as soon as practicable, appoint, and shall have the power to remove, a superintendent of public works responsible to the board. The superintendent shall exercise and perform under the supervision and direction of the board such of the powers, rights and duties transferred to it under section two as it may designate. Pending the appointment of a superintendent, the board may appoint an acting superintendent. The compensation of the superintendent or acting superintendent shall be fixed by the board, subject to appropriations therefor voted by the town. He shall be specially fitted by education, training and experience to perform the duties of such office, and may or may not be a resident of the town when appointed, but he shall be a resident during his tenure in office. Before entering upon the duties of his office he shall be sworn to the faithful and impartial performance thereof, and he shall, if required by the board, execute a bond in favor of the town for the faithful performance of his duties in such sum or sums and with such surety or sureties as may be fixed by the board. If a surety company is selected, the premium therefor shall be paid by the town. During his tenure he shall hold no other elective or appointive office, nor shall he be engaged in any other business or occupation. He shall appoint such staff of assistants, clerks, employees and laborers as he deems necessary, with the approval of the board, and he shall have the authority, with like approval, to remove them. He shall keep a full and complete record of all the doings of his office and shall render to the board such reports as it may require. He shall keep the board fully advised as to the needs of the town within the scope of his duties, and shall annually furnish to the board, not less than ten days prior to the expiration of the fiscal year of said town, a carefully prepared and detailed estimate in writing of the appropriations required during the next succeeding fiscal year for the proper exercise and performance of all said powers, rights and duties.

SECTION 4. This act shall be submitted to the registered voters of the town of Barnstable for acceptance at the next annual town meeting, in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting: — "Shall an act passed by the general court in the year nineteen hundred and fifty-four entitled 'An Act authorizing the Selectmen of the Town of Barnstable to act as a Board of Public Works, exercising all the Powers of Certain Boards, Departments and Officers of said Town', be accepted?" If a majority of the votes cast in answer to such question is in the affirmative, this act shall thereupon become fully effective. If a majority of the votes so cast is not in the affirmative, said question shall be placed on the official ballot to be used for the election of town officers at the annual town meeting in the year nineteen hundred and fifty-five, and if the act is not so accepted in the year nineteen hundred and fifty-five, said

question shall be placed on said ballot at the annual town election in the year nineteen hundred and fifty-six. If a majority of the votes cast in answer to said question in either of said years nineteen hundred and fifty-five and nineteen hundred and fifty-six is in the affirmative, this act shall become fully effective on April first following said vote. If this act is not accepted as provided herein, it shall become null and void.

SECTION 5. The town may rescind all or any part of the action taken by it in pursuance of this act by a majority vote of the legal voters present and voting thereon by ballot at any town meeting held after three years following the annual town election at which this act becomes fully effective and at least thirty days before the annual town election next to be held after such meeting, and thereupon said town shall, at said next annual town election, nominate and elect such officers as are necessary to exercise and to perform such of the powers, rights and duties transferred to the board under section two as are affected by said vote.

Approved January 29, 1954.

**Chap. 40 AN ACT PLACING THE OFFICE OF SUPERINTENDENT OF STREETS
IN THE TOWN OF BELLINGHAM UNDER THE CIVIL SERVICE
LAWS.**

Be it enacted, etc., as follows:

SECTION 1. The office of superintendent of streets of the town of Bellingham shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of any incumbent of said office shall be unlimited, subject, however, to said laws, provided, however, that the incumbent of said office on said effective date shall be subjected by the division of civil service to a qualifying examination, and if he passes said examination he shall be certified for said office and deemed to be permanently appointed thereto, without being required to serve any probationary period.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the year nineteen hundred and fifty-four in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: — "Shall an act passed by the General Court in the year nineteen hundred and fifty-four, entitled 'An act placing the office of superintendent of streets in the town of Bellingham under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved January 29, 1954.

AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF SHARON TO ACT AS A BOARD OF PUBLIC WORKS EXERCISING THE POWERS OF CERTAIN OTHER BOARDS AND TOWN OFFICERS. *Chap. 41*

Be it enacted, etc., as follows:

SECTION 1. The board of selectmen of the town of Sharon as constituted from time to time, from and after the annual election at which this act becomes fully effective, shall also be a board of public works, and in said capacity shall have and exercise, under the designation of selectmen, all the powers and duties vested just prior to said election and from time to time by general law or special act in the following boards and officers in said town, to wit: — highway surveyors, water commissioners, park commissioners, building inspector, plumbing inspector, superintendent of moth works, town forest committee, tree warden, and in any additional or other boards or officers of the town as may be reasonably related to the duties and responsibilities of a board of public works, and such boards and officers shall thereupon be abolished during the time that this act is operative. No contracts or liabilities then in force shall be affected by such abolition, but the selectmen, acting as said board of public works, shall in all respects be the lawful successor of the boards and officers so abolished.

SECTION 2. The selectmen shall appoint, and fix the compensation of, a superintendent of public works, who shall administer, under the supervision and direction of the selectmen, such departments of the town under the control of the selectmen as they may designate. He shall be responsible for the efficient administration of all departments within the scope of his duty, and shall hold office subject to the will of the selectmen. He shall be specially fitted by education, training and experience to perform the duties of said office, and may or may not be a resident of the town. During his tenure he shall hold no elective or other appointive office, nor shall he be engaged in any other business or occupation. He shall give bond to the town for the faithful performance of his duties with a surety company authorized to transact business in the commonwealth as surety, in such sum and upon such conditions as the selectmen may require, and shall, subject to the approval of the selectmen, appoint such assistants, agents and employees as the performance of the duties of the various departments under his supervision may require, and may with like approval remove them, and no such assistant, agent or employee shall be required to be appointed from any civil service list, unless the town shall, by vote of its inhabitants at an annual town meeting, specifically so require as to any one or group thereof. He shall keep full and complete records of the doings of his office and shall have charge of and shall preserve, arrange and index so as to be readily accessible to the public all plans, surveys, field

notes, records, documents and inventories connected with engineering operations of the town, and render to the selectmen, as often as they may require, a full report of all operations under his control during the period reported upon; and annually, or from time to time as required by the selectmen, he shall make a synopsis of all reports for publication. He shall keep the selectmen fully advised as to the needs of the town within the scope of his duties, and shall furnish to the selectmen, on or before January first in each year, a carefully prepared and detailed estimate in writing of the appropriations required during the ensuing fiscal year for the proper conduct of all departments of the town under his supervision.

SECTION 3. In accordance with the provisions of section twenty-three of chapter forty-one of the General Laws, the said town, at any time after three years following the annual town election at which this act becomes fully effective, may rescind, in whole or in part, all action taken under its provisions.

SECTION 4. This act shall be submitted to the registered voters of the town of Sharon for acceptance at its annual town election in the year nineteen hundred and fifty-four, in the form of the following question, which shall be placed on the official ballot used in the election of town officers at said election:— "Shall an act passed by the general court in the year nineteen hundred and fifty-four, entitled 'An Act Authorizing the Selectmen of the Town of Sharon to Act as a Board of Public Works exercising the Powers of certain other Boards and Town Officers', be accepted?" If a majority of the votes cast in answer to said question are in the affirmative this act shall take effect beginning with and for the purposes of the annual town election in the year nineteen hundred and fifty-five; but not otherwise.

SECTION 5. If this act is rejected by the registered voters of the town of Sharon when submitted to said voters under section four, it may be submitted for acceptance from time to time in like manner and with like effect at any annual town election in said town not later than that in the year nineteen hundred and fifty-six, and, if accepted at any such election, shall take effect beginning with and for the purposes of the annual town election in the year next following.

Approved January 29, 1954.

Chap. 42 AN ACT AUTHORIZING THE TOWN OF BREWSTER TO APPROPRIATE MONEY FOR MUNICIPAL ADVERTISING PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Brewster may annually appropriate a sum of money not to exceed five hundred dollars for advertising the advantages of the town with special reference to its facilities for summer vacations, recreation and residential purposes, and its seashore advantages. The

money so appropriated shall be expended under the direction of the selectmen.

SECTION 2. This act shall take full effect upon its acceptance by said town within five years after its passage.

Approved January 29, 1954.

AN ACT TO PERMIT CITIES TO USE CERTAIN CURRENTLY AVAILABLE FUNDS TO REDUCE TAX RATES THEREIN FOR THE CURRENT YEAR. Chap. 43

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow cities to use certain funds to reduce tax rates in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

In cities in the calendar year nineteen hundred and fifty-four, in determining the amount of available funds which the assessors may be required to deduct under the provisions of clauses (b) and (c) of section twenty-three of chapter fifty-nine of the General Laws such funds shall constitute the amounts certified by the director of accounts as available on January first, nineteen hundred and fifty-four, in accordance with the provisions of said section, together with the total of the proceeds from the sale of tax title possessions and receipts from tax title redemptions in addition to the real, personal or poll taxes of prior years collected or received between said January first and the last day of the month preceding the month in which the tax rate is determined, but in no event later than March thirty-first, nineteen hundred and fifty-four.

The auditor or similar accounting officer in each city shall certify as soon as may be to the board of assessors the total of the proceeds from the sale of tax title possessions and receipts from tax title redemptions in addition to the total real, personal or poll taxes of prior years collected from January first, nineteen hundred and fifty-four, up to and including March thirty-first, nineteen hundred and fifty-four.

Approved February 1, 1954.

AN ACT RELATIVE TO PHYSICAL EXAMINATION AND TREATMENT OF CERTAIN MINORS. Chap. 44

Be it enacted, etc., as follows:

Section 117 of chapter 111 of the General Laws, as most recently amended by section 3 of chapter 129 of the acts of 1948, is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter.
Ed.), 111,
§ 117, etc.,
amended.

For the purposes of this section, physical examination and treatment by a registered physician or surgeon acting under the authority of the department of public health upon

Certain
physical
examinations
not to con-

stitute
assaults.

the person of a minor who voluntarily appears therefor, shall not constitute an assault or an assault and battery upon said person.

Approved February 1, 1954.

Chap. 45 AN ACT RELATIVE TO THE ESTABLISHMENT BY TOWNS OF A DEPARTMENT OF PUBLIC WORKS EXERCISING THE POWERS OF CERTAIN OTHER DEPARTMENTS AND TOWN OFFICERS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 41,
§ 69E, etc.,
amended.

Section 69E of chapter 41 of the General Laws, inserted by section 1 of chapter 101 of the acts of 1953, is hereby amended by inserting after the word "twenty-one", in line 5, the words: — or section sixty-nine D.

Approved February 1, 1954.

Chap. 46 AN ACT TO AUTHORIZE THE PAYMENT OF JUDGMENTS FROM AVAILABLE CASH ON HAND IN A CITY OR TOWN TREASURY.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 44, § 31,
etc., amended.

Payments of
certain
judgments
by cities
and towns,
regulated.

Section 31 of chapter 44 of the General Laws, as most recently amended by chapter 138 of the acts of 1949, is hereby further amended by adding at the end the following: — Payments of final judgments rendered after the fixing of the tax rate for the current year, other than judgments authorized under the provisions of section thirty-four of chapter seventy-one, may, with the approval of the director of accounts, be made from any available funds in the treasury, and the payments so made shall be reported by the auditor or accountant or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who shall include the amount so reported in the aggregate appropriations assessed in the determination of the next subsequent annual tax rate, unless the city or town has otherwise made provision therefor.

Approved February 1, 1954.

Chap. 47 AN ACT PERTAINING TO THE INVESTMENT OF MUNICIPAL TRUST FUNDS IN CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 44, § 54,
etc., amended.

Investment of
municipal
trust funds,
regulated.

Section 54 of chapter 44 of the General Laws, as most recently amended by chapter 83 of the acts of 1953, is hereby further amended by striking out, in line 8, the word "of" and inserting in place thereof the words: — and accounts of and in, — so as to read as follows: — *Section 54.* Trust funds, including cemetery perpetual care funds, unless otherwise provided or directed by the donor thereof, shall be placed at interest in savings banks, trust companies incorporated under the laws of the commonwealth, banking companies incorporated under the laws of the commonwealth which are members of the Federal Deposit Insurance Corporation, or national banks, or invested by cities and towns in paid-up shares and accounts of and in co-operative banks,

or in shares of savings and loan associations or in shares of federal savings and loan associations doing business in the commonwealth to an amount not exceeding ten thousand dollars, or in bonds or notes which are legal investments for savings banks. This section shall not apply to Boston.

Approved February 1, 1954.

AN ACT RELATING TO DEPOSITS BY MUNICIPAL OFFICERS IN CO-OPERATIVE BANKS. Chap. 48

Be it enacted, etc., as follows:

Section 55A of chapter 44 of the General Laws, as most recently amended by chapter 224 of the acts of 1950, is hereby further amended by inserting after the word "commonwealth", in line 5, the words: — , on paid-up shares and accounts of and in co-operative banks, — so as to read as follows:— *Section 55A.* A city or town officer receiving public money and lawfully and in good faith and in the exercise of due care depositing the same in a savings bank or trust company organized under the laws of the commonwealth, on paid-up shares and accounts of and in co-operative banks, a banking company organized under the laws of the commonwealth which is a member of the Federal Deposit Insurance Corporation, or in a national bank doing business in the commonwealth, or, in the case of the city of Boston, in accordance with the provisions of section fifty-five in a national bank or trust company in the city of New York, or in good faith and in the exercise of due care purchasing share accounts of a federal savings and loan association located in the commonwealth, shall not be personally liable to the city or town for any loss of such money by reason of the closing up of such depository or federal savings and loan association for the liquidation of its affairs.

G. L. (Ter. Ed.), 44, § 55A, etc., amended.

Certain deposits by municipal officers in co-operative banks, regulated.

Approved February 1, 1954.

AN ACT AUTHORIZING CITIES AND TOWNS TO GIVE EVENING COURSES IN MOTOR VEHICLE DRIVING EDUCATION TO PERSONS UNDER TWENTY-FIVE YEARS OF AGE. Chap. 49

Be it enacted, etc., as follows:

Section 13D of chapter 71 of the General Laws, inserted by chapter 205 of the acts of 1948, is hereby amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 71, § 13D, etc., amended.

In addition, evening courses in motor vehicle driving education, as prescribed by the registrar of motor vehicles, may be given in the schools of any town for the training of persons under twenty-five years of age regardless of whether such persons are licensed or unlicensed by the registrar. School committees may, in their discretion, fix reasonable fees for tuition.

Certain courses in motor vehicle driving authorized in schools.

Approved February 1, 1954.

Chap. 50 AN ACT RELATIVE TO THE RECORD DATE FOR DETERMINING THE STOCKHOLDERS OF RECORD ENTITLED TO CERTAIN RIGHTS IN CERTAIN CORPORATIONS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to grant without delay certain powers to directors of certain corporations for determining the stockholders of record, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 155,
§ 22, etc.,
amended.

Section 22 of chapter 155 of the General Laws is hereby amended by striking out the last paragraph, inserted by chapter 185 of the acts of 1953, and inserting in place thereof the following paragraph: —

Record date
for determina-
tion of certain
rights of
stockholders,
regulated.

The board of directors of any corporation having capital stock may fix in advance a time which, unless a shorter period is provided in the agreement of association or articles of organization or the by-laws of the corporation, shall be not more than sixty days before the date of any meeting of stockholders or the date for the payment of any dividend or the making of any distribution to stockholders or the last day on which the consent or dissent of stockholders may be effectively expressed for any purpose, as the record date for determining the stockholders having the right to notice of and to vote at such meeting, and any adjournment thereof or the right to receive such dividend or distribution or the right to give such consent or dissent, and in such case only stockholders of record on such record date shall have such right, notwithstanding any transfer of stock on the books of the corporation after the record date; or without fixing such record date the board of directors may for any of such purposes close the transfer books for all or any part of such period. In the case of any corporation having capital stock but not having directors the authority conferred by this section may be exercised by the board of trustees or other officers having the powers of directors.

Approved February 1, 1954.

Chap. 51 AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWN OF BRAINTREE AT THE ANNUAL ELECTION OF A CERTAIN QUESTION PERTAINING TO THE FLUORIDE SUPPLEMENTATION OF ITS WATER SUPPLY.

Be it enacted, etc., as follows:

SECTION 1. At the annual town election in the town of Braintree to be held on the first Monday of March in the current year, there shall be submitted to the voters thereof the following question which shall be printed upon the official ballot to be used at said election:—“Are you in favor of the fluoride supplementation of the Braintree water supply?” If a majority of those voting indicate they are in

favor of such supplementation, the water commissioners are hereby authorized and directed to take any and all necessary measures either by themselves or those designated by them to carry into effect the fluoride supplementation of the town's water supply.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1954.

AN ACT AUTHORIZING THE TOWN OF LITTLETON TO PAY A *Chap. 52*
SUM OF MONEY TO RUSSELL WARREN AND WALTER KARPLUS.

Be it enacted, etc., as follows:

SECTION 1. The town of Littleton is hereby authorized to appropriate from the town's water surplus account the sum of seven hundred and sixty-four dollars and to pay the same to Russell Warren and Walter Karplus to reimburse them for money expended by them for a water main extension along a town way.

SECTION 2. This act shall take effect upon its passage and for the purpose described in section one shall be deemed to have been in full force and effect at the time of posting of the warrant for the annual meeting of said town held on March second, nineteen hundred and fifty-three, and the action of the town in voting said reimbursement at said meeting is hereby validated.

Approved February 2, 1954.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF *Chap. 53*
BRISTOL COUNTY TO MAKE CERTAIN REPAIRS, ALTERATIONS
AND CHANGES IN THE REGISTRY OF DEEDS AND PROBATE
BUILDING IN THE CITY OF TAUNTON.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Bristol county are hereby authorized to expend a sum not exceeding ninety thousand dollars for the repair, alteration, addition to, remodeling, changing and reconstruction of the existing roof on the registry of deeds and probate building in the city of Taunton, and to make such changes, alterations and repairs in and upon said building as said county commissioners may deem expedient and appropriate in connection with the repair, addition to, alteration, remodeling, changing and reconstruction of said roof. All such work shall be done on a contract basis, the provisions of the last sentence of section seventeen of chapter thirty-four of the General Laws to the contrary notwithstanding.

SECTION 2. For the purpose of meeting the expense authorized by section one, the county treasurer, with the approval of the county commissioners, shall issue bonds or notes of the county, in a total amount not to exceed ninety thousand dollars, which shall bear on their face the words: — Bristol County Registry of Deeds and Probate Loan, Act of 1954; and such bonds or notes shall be payable in not more

than ten years from their dates of issue. Such bonds or notes shall be signed by the treasurer of said county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Receipts from the sale of such bonds or notes shall be applied to the costs of changes and reconstruction of said roof and changes and repairs in and to said building, and to the payment of any temporary loans authorized under section three, or to either of such purposes. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer of said county, with the approval of the county commissioners, may from time to time make temporary loans in anticipation of the serial loan authorized by section two in such sums as may be necessary, but not exceeding in the aggregate, ninety thousand dollars, and may issue notes of the county therefor, payable in not more than one year from their date or dates of issue.

SECTION 4. This act shall take effect upon its passage.

Approved February 2, 1954.

Chap. 54 AN ACT AUTHORIZING THE CITY OF CHELSEA TO TRANSFER UNION PARK TO THE CHELSEA HOUSING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Chelsea is hereby authorized to convey and transfer to the Chelsea Housing Authority, after an affirmative vote of the board of park commissioners, the board of aldermen and the consent of the mayor, for nominal consideration, the park land known as Union Park in the city of Chelsea, bounded and described as follows: — Northerly by Sixth street; Westerly by Arlington street; Southerly by Fifth street; and Easterly by Walnut street.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1954.

Chap. 55 AN ACT RELATIVE TO THE PAYMENT OF A SUM OF MONEY BY THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO CHARLES H. MCSWEENEY OF BELMONT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 213 of the acts of 1952 is hereby amended by striking out, in lines 4 and 5, the words "reimburse him for medical and dental expenses incurred by him as a result of an accident" and inserting in place thereof the words: — compensate him for injuries, — so as to read as follows: — For the purpose of discharging a moral obligation, the county commissioners of Middlesex county are hereby authorized to pay to Charles H. McSweeney of Belmont the sum of five hundred dollars to compensate him for injuries

sustained in the probate court of said county on May seventeenth, nineteen hundred and fifty-one. No payment shall be made hereunder until there shall have been filed with the treasurer of said county an agreement signed by said Charles H. McSweeney that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this act shall not exceed ten per cent of the sum paid hereunder.

SECTION 2. This act shall take full effect upon its acceptance during the current year by the county commissioners of Middlesex county, but not otherwise.

Approved February 2, 1954.

AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF THE COUNTY OF NORFOLK MAY BORROW AND EXTENDING THE TERMS OF BONDS OR NOTES ISSUED THEREFOR, FOR DISTRICT COURT PURPOSES IN THE TOWN OF WRENTHAM. *Chap. 56*

Be it enacted, etc., as follows:

Section 3 of chapter 590 of the acts of 1949 is hereby amended by striking out, in line 4, the word "two" and inserting in place thereof the word: — four, — and by striking out, in line 9, the word "five" and inserting in place thereof the word: — ten, — so as to read as follows:—

Section 3. For the purpose aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, four hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on the face the words Norfolk County Court House Loan, Act of 1949. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than ten years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved February 2, 1954.

AN ACT RELATIVE TO OBLIGATIONS OF CERTAIN CONSOLIDATED BUSINESS CORPORATIONS. *Chap. 57*

Be it enacted, etc., as follows:

Subsection 2 of paragraph (b) of section 46D of chapter 156 of the General Laws, as appearing in section 2 of chapter 514 of the acts of 1941, is hereby amended by striking out, in line 7, the word and letter "forty-five A", and inserting in place thereof the word and letter: — forty-six A.

G. L. (Ter. Ed.), 156, § 46D, etc., amended.

Approved February 2, 1954.

Chap. 58 AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO PAY A SUM OF MONEY TO EARL E. WELLS.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the county commissioners of Essex county are hereby authorized to pay to Earl E. Wells the sum of five hundred and twenty-two dollars and fifty-eight cents to reimburse him for expenses of maintenance for the period from November fourth, nineteen hundred and fifty-two to February seventeenth, nineteen hundred and fifty-three during which time the house provided by said county for him as sheriff was not available for occupancy.

Approved February 2, 1954.

Chap. 59 AN ACT RELATIVE TO THE STORAGE OR USE OF EXPLOSIVE MATERIALS IN PLACES OF EMPLOYMENT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 149, § 130, amended.

Storage of explosives, regulated.

Chapter 149 of the General Laws is hereby amended by striking out section 130, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—
Section 130. Explosive or inflammable compounds or materials shall not be so stored or used in any place of employment as to obstruct or render hazardous the egress of employees in case of fire.

Approved February 2, 1954.

Chap. 60 AN ACT RELATIVE TO THE FIRE DEPARTMENT OF THE TOWN OF WAKEFIELD.

Be it enacted, etc., as follows:

SECTION 1. Chapter forty-six of the acts of nineteen hundred and twenty-five is hereby repealed.

SECTION 2. Section two of chapter three hundred and seventy-two of the Special Acts of nineteen hundred and seventeen is hereby repealed.

SECTION 3. This act shall take effect only upon the acceptance of the provisions of section forty-eight of chapter thirty-one of the General Laws by the town of Wakefield at the annual town meeting in the current year, in so far as it relates to the office of chief of the fire department and to the members of the fire force in said town.

Approved February 2, 1954.

Chap. 61 AN ACT PROVIDING A PENALTY FOR PERMITTING IMMORAL CONDUCT IN CERTAIN PREMISES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 140, § 26, amended.

Chapter 140 of the General Laws is hereby amended by striking out section 26, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 26.* Whoever, being licensed as a lodging house keeper under sections twenty-two to thirty-one, in-

clusive, or as an innholder, or, being licensed under sections thirty-two A to thirty-two E, inclusive, or being in actual charge, management or control of such lodging house, inn or premises for which the license is issued, knowingly permits the property under his control to be used for the purpose of immoral solicitation, immoral bargaining or immoral conduct shall be punished by a fine of not less than five hundred nor more than one thousand dollars or by imprisonment for not less than six months nor more than one year, or both. Evidence that a room in a hotel or lodging house or that the premises licensed under sections thirty-two A to thirty-two E, inclusive, were not actually used for immoral conduct shall not prevent a conviction under this section of a person in actual charge, control or management of the hotel, lodging house or premises who permits the occupation of such a room or such premises knowing or having good reason to know that the person occupying such room or premises intends to use either for immoral solicitation, immoral bargaining or immoral conduct. If it is required that registers be kept, as provided in sections twenty-seven and twenty-eight, evidence that the person in actual charge, control or management of the hotel, lodging house or premises has knowingly permitted the occupation of a private room of less than four hundred square feet floor area or of premises, containing a bed or couch, by the same woman on different occasions within a period of thirty days with different men, or by the same man on different occasions within a period of thirty days with different women, shall be prima facie evidence of a violation of this section.

Penalty for permitting immoral conduct in certain premises.

Approved February 2, 1954.

AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO SELL FOR HOUSING PURPOSES CERTAIN LAND ACQUIRED FOR WATER SUPPLY PURPOSES.

Chap. 62

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 255 of the acts of 1951 is hereby amended by adding at the end the following two paragraphs:—

Lot C. Beginning at a point on the southerly side of Blanchard road and continuing in a southerly direction 120.00 feet adjacent to Lot 19, thence turning and continuing in a westerly direction 237.92 feet to a point, thence turning and continuing 100.00 feet adjacent to Lot #1 on Grove street to a point, thence turning and running in a northerly direction 76.71 feet along Grove street to a point of curvature, thence continuing on a curve 187.72 feet to a point of tangency, thence running 252.68 feet along Blanchard road and in an easterly direction to the point of the beginning.

The above described parcel of land is shown as Lot "C" on a plan, drawn by Edgar W. Davis, city engineer, dated February 5, 1951, and on file in the office of the city engineer. All the above measurements and areas being more or less.

SECTION 2. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved February 2, 1954.

Chap. 63 AN ACT AUTHORIZING THE TRUSTEES OF THE NORFOLK COUNTY AGRICULTURAL SCHOOL TO PAY TRANSPORTATION COSTS OF CERTAIN PUPILS ATTENDING SAID SCHOOL.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 74, § 31A, etc., amended.

Payment of transportation costs of certain pupils, authorized.

Chapter 74 of the General Laws is hereby amended by striking out section 31A, as amended by chapter 42 of the acts of 1943, and inserting in place thereof the following section: — *Section 31A.* The trustees of the Essex county agricultural school, the Bristol county agricultural school and the Norfolk county agricultural school may, if in their judgment the circumstances warrant, and it is not otherwise provided for, pay, in whole or in part, the costs of transporting any pupil who resides in a town in the county of Essex, the county of Bristol, or the county of Norfolk, as the case may be, between the town and the school, and such expenditure shall be deemed to be a proper maintenance item.

Approved February 2, 1954.

Chap. 64 AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO TRANSFER CONTROL OF KALMUS PARK TO THE SELECTMEN OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fourteen of chapter forty-five of the General Laws, Kalmus Park, located in the town of Barnstable, shall be under the jurisdiction and control of the board of selectmen of said town and with respect to such property all the powers and duties set forth in said section shall be exercised by the selectmen instead of the playground and recreation commission. Nothing herein contained shall derogate from the powers and duties of the playground and recreation commission of said town with respect to other properties now under their jurisdiction and control.

SECTION 2. This act shall take effect upon its acceptance by the town of Barnstable at its next annual town meeting following the passage of this act.

Approved February 2, 1954.

Chap. 65 AN ACT FURTHER DEFINING UNENCUMBERED REAL PROPERTY UPON WHICH DOMESTIC INSURANCE COMPANIES MAY MAKE LOANS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 63, etc., amended.

Paragraph 7 of section 63 of chapter 175 of the General Laws, as appearing in chapter 188 of the acts of 1945, is

hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence: — Real property shall not be deemed to be encumbered within the meaning of this paragraph by reason of the existence of instruments reserving mineral, oil or timber rights, rights of way, parking rights, sewer rights, or rights in walls, nor by reason of an option to purchase, nor by reason of any liens for taxes or assessments not delinquent, nor by reason of building restrictions or other restrictive covenants, nor by the reason that it is subject to lease under which rents or profits are reserved to the owner; provided, that the security for such loan is a first lien upon such real property and that there is no condition or right of re-entry or forfeiture under which such lien can be cut off, subordinated or otherwise disturbed.

Loans by domestic insurance companies upon real property, regulated.

Approved February 2, 1954.

AN ACT RELATIVE TO DATING OF LIFE INSURANCE POLICIES AND ANNUITY CONTRACTS.

Chap. 66

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by striking out section 130, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 130.* No policy of life or endowment insurance shall be issued or delivered in the commonwealth if it shall purport to be issued or to take effect as of a date more than six months before the date of the original written application, if thereby the applicant would rate at an age younger than his age at nearest birthday on the date when the application was made, and no annuity or pure endowment contract shall be so issued or delivered if it shall purport to be issued or to take effect at an age higher than the age of the applicant at his nearest birthday at the time of the original written application.

G. L. (Ter. Ed.), 175, § 130, amended.

Incorrect dating of life insurance policies and annuity contracts, forbidden.

Approved February 2, 1954.

AN ACT RELATIVE TO THE TIME FOR FILING OF PETITIONS FOR THE ADOPTION OF A STANDARD FORM OF CITY CHARTER.

Chap. 67

Be it enacted, etc., as follows:

Section 7 of chapter 43 of the General Laws, as most recently amended by section 3 of chapter 459 of the acts of 1948, is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 43, § 7, etc., amended.

The petition shall be filed with the city clerk at least one hundred and forty days before the date of the election at which the question proposed by the petition is to be submitted to a vote of the voters.

Filing of certain charter petitions, regulated.

Approved February 2, 1954.

Chap. 68 AN ACT RELATIVE TO WRITING DOWN THE VALUE OF REAL PROPERTY HELD FOR INVESTMENT PURPOSES BY DOMESTIC LIFE INSURANCE COMPANIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 66B, etc., amended.

Writing down value of certain real estate held, regulated.

Section 66B of chapter 175 of the General Laws, as appearing in section 1 of chapter 269 of the acts of 1947, is hereby amended by striking out the fifth sentence and inserting in place thereof the following two sentences: — Such property shall be carried upon the books of the company at a value not in excess of its original cost or value. Such book value shall be written down at a rate that will average not less than two per cent per annum of such original cost or value for each year that the property has been held.

Approved February 2, 1954.

Chap. 69 AN ACT ESTABLISHING THE DATE FOR PAYMENT OF THE INCOME TAX.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 62, § 37A, etc., amended.

Date for payment of interest on state income tax, established.

Chapter 62 of the General Laws is hereby amended by striking out section 37A, as amended by section 2 of chapter 322 of the acts of 1947, and inserting in place thereof the following section: — *Section 37A.* Except as otherwise provided in section twenty-five, the tax imposed by this chapter shall be due and payable in advance of assessment at the time when the tax return is required to be filed. So much of said tax as is not paid at its due date shall bear interest from said date at the rate of one half of one per cent per month, or major fraction thereof, until it is paid. Taxes assessed under sections thirty-five, thirty-six and thirty-seven shall include interest as provided in this section to the date when the tax so assessed, or any unpaid balance thereof, is required to be paid, which shall be the thirtieth day following the date of the notice of the assessment.

Approved February 3, 1954.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, February 3, 1954.

HONORABLE EDWARD J. CRONIN, *Secretary of the Commonwealth,*
State House, Boston, Massachusetts.

SIR:—I, Christian A. Herter, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measure", do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the third day of February in the year one thousand nine hundred and fifty-four, being Chapter 69 of the Acts of 1954 entitled, "An Act Establishing the Date for Payment of the Income

Tax", should take effect forthwith and that it is an emergency law, and that the facts constituting the emergency are as follows:

The delayed operation of this legislation would make it impossible for the Commonwealth to receive the payment of taxes due in 1954 in one payment on the date when the tax return is required to be filed. Without this legislation, the payment would be in two equal payments — one on April 15 and the other October 1. Such a condition would seriously upset the budget of the Commonwealth. Therefore, it is necessary that the legislation referred to above should take effect forthwith.

Very truly yours,

CHRISTIAN A. HERTER,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, February 3, 1954.

I, Edward J. Cronin, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at two o'clock and forty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter sixty-nine of the acts of nineteen hundred and fifty-four.

EDWARD J. CRONIN,
Secretary of the Commonwealth.

AN ACT ESTABLISHING THE DATE FOR THE FILING OF INCOME TAX RETURNS. *Chap. 70*

Be it enacted, etc., as follows:

SECTION 1. Section 24 of chapter 62 of the General Laws, as amended by section 2 of chapter 45 of the acts of 1943, is hereby further amended by striking out, in line 8, the words "March first" and inserting in place thereof the words:—April fifteenth,—so as to read as follows:—*Section 24.* Returns under sections twenty-two and twenty-three shall be accompanied by a written declaration that they are made under the penalties of perjury, and shall be filed with the commissioner, shall be made in such form as the commissioner prescribes, and shall contain such further information as he deems pertinent. Except as otherwise provided in this chapter, the return shall be made on or before April fifteenth in each year and shall relate to the income received during the year ending on December thirty-first preceding.

G. L. (Ter. Ed.), 62, § 24, etc., amended.

Date for filing of state income tax returns established.

SECTION 2. Section five of chapter two hundred and forty-six of the acts of nineteen hundred and fifty-three is hereby repealed.

Approved February 3, 1954.

Chap. 71 AN ACT DEFINING THE WORD "MAYOR" AS USED IN THE HOUSING AUTHORITY LAW, AND VALIDATING THE APPOINTMENT OF CERTAIN HOUSING AUTHORITY MEMBERS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 121, § 26J, etc., amended.

"Mayor" as used in housing authority law, defined.

SECTION 1. Section 26J of chapter 121 of the General Laws is hereby amended by striking out the paragraph defining "Mayor", inserted by chapter 322 of the acts of 1951, and inserting in place thereof the following paragraph: —

"Mayor", the duly elected mayor of the city in all cities except those having a Plan D or Plan E charter. In cities having a Plan D or Plan E charter, the city manager shall have and possess, and shall exercise all the powers granted to the mayor by sections twenty-six K to twenty-six NN; provided, that, in each instance where the exercise of such a power by the mayor, under the provisions of sections twenty-six K to twenty-six NN, is subject to approval or confirmation by the city council, the exercise of such a power by the city manager shall be subject to like approval or confirmation.

Certain appointments, validated.

SECTION 2. Every appointment of a member of a housing authority under section twenty-six L of chapter one hundred and twenty-one of the General Laws, made before the effective date of this act by the city manager in a city having a Plan D or Plan E charter is hereby validated as of the date of such appointment whether or not such appointment shall have been confirmed by the city council.

Approved February 3, 1954.

Chap. 72 AN ACT RELATIVE TO THE DISSOLUTION OF HOUSING AUTHORITIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 121, § 26K, etc., amended.

G. L. (Ter. Ed.), 121, § 26K, etc., further amended.

Dissolution of housing authorities, regulated.

SECTION 1. Section 26K of chapter 121 of the General Laws, as appearing in section 1 of chapter 574 of the acts of 1946, is hereby amended by inserting after the word "Organization", in line 1, the words: — *and Dissolution*.

SECTION 2. Said section 26K of said chapter 121 is hereby further amended by adding at the end the following paragraph: —

Whenever a housing authority determines that there is no further need for its existence, that it has no property to administer, and that all outstanding obligations of the authority have been satisfied, it may by a majority vote of the five members submit the question of its dissolution, in a town, to the voters at an annual town meeting or, in a city, to the vote of the city council with the approval of the mayor. If a city or town votes for such dissolution in accordance herewith and the chairman of the state housing board is satisfied of the existence of the facts required herein, he shall so certify to the state secretary and said housing authority

shall be dissolved forthwith subject to the applicable provisions of section fifty-one of chapter one hundred and fifty-five.
Approved February 3, 1954.

AN ACT RELATIVE TO URBAN REDEVELOPMENT CORPORATIONS AND THE CLEARANCE OF SLUMS AND REDEVELOPMENT OF URBAN AREAS. Chap. 73

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 121A of the General Laws, as most recently amended by section 1 of chapter 647 of the acts of 1953, is hereby further amended by striking out, in line 8, the words "assembled and" and inserting in place thereof the words: — acquired or.

G. L. (Ter. Ed.), 121A, § 1, etc., amended.

SECTION 2. Said section 1 of said chapter 121A, as so amended, is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 121A, § 1, etc., further amended.

"Construct", "construction", and "erect" shall include the renovation, rehabilitation or remodeling of buildings or structures.

Approved February 3, 1954.

AN ACT PROHIBITING THE DISPLAY OF UNAUTHORIZED REGISTRATION PLATES AND THE CONCEALING OF REGISTRATION PLATES ON MOTOR VEHICLES AND TRAILERS. Chap. 74

Be it enacted, etc., as follows:

Section 23 of chapter 90 of the General Laws is hereby amended by striking out the first paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: — Any person convicted of operating a motor vehicle after his license to operate has been suspended or revoked, or after notice of the suspension of his right to operate a motor vehicle without a license has been issued by the registrar and received by such person or by his agent or employer, and prior to the restoration of such license or right to operate or to the issuance to him of a new license to operate, and any person convicted of operating or causing or permitting any other person to operate a motor vehicle after the certificate of registration for such vehicle has been suspended or revoked and prior to the restoration of such registration or to the issuance of a new certificate of registration for such vehicle, shall, except as provided by section twenty-eight of chapter two hundred and sixty-six, be punished for a first offence by a fine of not less than fifty nor more than one hundred dollars or by imprisonment for not more than ten days, or both, and for any subsequent offence by imprisonment for not less than ten days nor more than one year, and any person who attaches or permits to be attached to a motor vehicle or trailer a number plate assigned to another motor vehicle or trailer, or who obscures or permits to be obscured the figures on any number plate attached to any motor vehicle or trailer, or

G. L. (Ter. Ed.), 90, § 23, amended.

Display of unauthorized registration plates, etc., prohibited.

Penalty.

who fails to display on a motor vehicle or trailer the number plate and the register number duly issued therefor, with intent to conceal the identity of such motor vehicle or trailer, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than ten days, or both.

Approved February 3, 1954.

Penalty.

Chap. 75 AN ACT AUTHORIZING A DOMESTIC LIFE INSURANCE COMPANY TO INSURE THE LIVES OF ITS EMPLOYEES AND TO PAY THE COST OF OR THE PREMIUM FOR ANY GROUP POLICY ISSUED BY IT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 36, etc., amended.

Section 36 of chapter 175 of the General Laws is hereby amended by striking out the third paragraph, inserted by section 1 of chapter 218 of the acts of 1938, and inserting in place thereof the following paragraph: —

Issuance of certain life insurance policies by domestic companies, authorized.

Any domestic life company may, with the written approval of the commissioner, also provide for the payment of pensions to its aged or disabled employees under a group contract issued by it. The employees and the company shall contribute to the cost of, or the premium for, any such contract. Such a company may, with like approval, insure the lives of its employees under a group policy issued by it, which shall be subject to the provisions of sections one hundred and thirty-three to one hundred and thirty-six, inclusive, so far as applicable. The provisions of section ninety-four relative to membership and voting rights in a domestic mutual life company shall not apply to any person covered by or insured under any such contract or policy.

Approved February 3, 1954.

Chap. 76 AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO DISCONTINUE THE USE FOR PARK PURPOSES OF CERTAIN LAND AT MEGANSETT.

Be it enacted, etc., as follows:

SECTION 1. The town of Falmouth may, by a vote at a town meeting called for the purpose, discontinue the use for park purposes of the land and beach in that part of Falmouth known as Megansett, owned by said town, and thereafter may use and maintain said land and beach as a town bathing beach or for such other municipal purposes as it may from time to time determine. Said town may restrict the use of said land and beach to its inhabitants, their guests and seasonal residents, and may adopt by-laws, not repugnant to law, relative to the use, care, regulation and control of the same for such purposes.

SECTION 2. This act shall take effect upon its passage.

Approved February 4, 1954.

AN ACT AUTHORIZING THE TOWN OF DOVER TO CONVEY TO LAURENCE O. PRATT CERTAIN LAND HELD BY SAID TOWN FOR PARK PURPOSES. Chap. 77

Be it enacted, etc., as follows:

SECTION 1. The town of Dover is hereby authorized to sell and convey to Laurence O. Pratt the premises in said town taken by it for park purposes by instrument of taking recorded with Norfolk Registry of Deeds, Book 701, Page 173, said land to be conveyed free and clear of park purposes and public uses, and being bounded and described as follows: —

Two parcels of land situate in said Dover on the north and south sides of Chapel Street (now discontinued), respectively, and bounded and described as follows: —

Commencing at a stake at the junction of Main Street and Springdale Avenue, thence the line runs northerly and follows the east line of said Main Street, one hundred eighty-six and eight tenths feet to another stake; thence the line turns and runs easterly upon the south line of said Chapel Street (now discontinued), in an irregular course three hundred sixty-three and nine tenths feet to another stake; thence the line turns and runs westerly on the north line of said Springdale Avenue, three hundred fifty-three and twenty-two one hundredths feet to the stake first mentioned, containing seventeen thousand two hundred and ninety square feet.

Commencing at a bound in the north line of Chapel Street (now discontinued); thence the line runs easterly by land of Miss Mary Grace one hundred fifty-nine feet to an old post; thence the line turns and runs southerly forty-seven feet to a bound at said Chapel Street (now discontinued); thence the line turns and runs westerly on the north line of said Chapel Street (now discontinued) to the point of beginning, containing four thousand seven hundred sixty-one square feet.

Both of said parcels of land are laid down on a plan made by E. Worthington, Jr., dated April 29, 1893, which plan is recorded with said Registry of Deeds, Book 1131, Page 640.

SECTION 2. This act shall take effect upon its passage.

Approved February 4, 1954.

AN ACT PLACING THE OFFICE OF CHIEF OF THE FIRE DEPARTMENT OF THE TOWN OF HULL UNDER THE CIVIL SERVICE LAWS. Chap. 78

Be it enacted, etc., as follows:

SECTION 1. The office of chief of the fire department of the town of Hull shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of any incumbent of said office shall be unlimited, subject, however, to said laws; provided that the present

incumbent of said office shall continue to serve as such provided he passes a qualifying examination to be given by the division of civil service.

SECTION 2. This act shall be submitted to the registered voters of the town of Hull at the annual town election in the current year in the form of the following question which shall be placed upon the official ballot to be used in said town at said election: — "Shall an act passed by the General Court in the year nineteen hundred and fifty-four, entitled 'An Act placing the office of chief of the fire department of the town of Hull under the civil service laws' be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved February 4, 1954.

Chap. 79 AN ACT FURTHER DEFINING THE WORDS "ARMED FORCES OF THE UNITED STATES" FOR THE PURPOSE OF ABSENT VOTING.

Be it enacted, etc., as follows:

The second paragraph of section 1 of chapter 531 of the acts of 1948 is hereby amended by adding at the end the following: —, or any spouse, parent or child of such member of the armed forces, if accompanying or being with such member and who has the qualifications entitling him to register in the same election district.

Approved February 4, 1954.

Chap. 80 AN ACT INCREASING THE POWERS AND DUTIES OF THE BOARD OF PUBLIC WORKS OF THE TOWN OF NORTH ANDOVER.

Be it enacted, etc., as follows:

SECTION 1. Chapter 379 of the acts of 1906 is hereby amended by inserting after section 2 the following section: — *Section 2A.* The said board of public works shall have the powers, rights, duties and obligations now or from time to time vested by general law, special law or town meeting vote in the following departments, officers and committees of said town, to wit: park department, playground department, cemetery department and school department, in so far as the care, improvement and maintenance of school department property, exclusive of school buildings, is vested by general law in the school department. The use and control of all school department property shall remain with the school department.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of North Andover at the next annual town election in the form of the following question which shall be placed on the official ballot to be used at said election: "Shall an act passed by the General Court in the year nineteen hundred and fifty-four, entitled 'An Act increasing the Powers and Duties of the Board of Public Works of the Town of North Andover' be accepted?" If

a majority of votes cast in answer to such question are in the affirmative, this act shall become fully effective beginning with, and for the purposes of, the annual town election in the year nineteen hundred and fifty-four, but not otherwise.
Approved February 4, 1954.

AN ACT RELATIVE TO THE FILING OF CERTAIN STATEMENTS
BY THE MALDEN STADIUM AND ATHLETIC FIELD COMMISSION. Chap. 81

Be it enacted, etc., as follows:

SECTION 1. Chapter 456 of the acts of 1946 is hereby amended by striking out section 6 and inserting in place thereof the following: — *Section 6.* The commission shall annually on or before the fifteenth day of January file with the city clerk an itemized and detailed statement of any revenue received from, and all expenditures made for, said athletic field and the buildings and other structures thereon for the year ending December thirty-first preceding.

SECTION 2. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of said city of Malden, but not otherwise.

Approved February 4, 1954.

AN ACT PLACING THE OFFICE OF VETERANS' AGENT AND
DIRECTOR OF VETERANS' SERVICES IN THE CITY OF PITTS-
FIELD UNDER THE CIVIL SERVICE LAWS. Chap. 82

Be it enacted, etc., as follows:

SECTION 1. The office of veterans' agent and director of veterans' services in the city of Pittsfield shall, upon the effective date of this act, become subject to the civil service laws and rules, and the incumbent of said office shall have unlimited tenure of office, subject, however to said laws, provided, however, that the incumbent of said office on said effective date shall be subjected by the division of civil service to a qualifying examination, and if he passes said examination he shall be certified for said office and deemed to be permanently appointed thereto, without being required to serve any probationary period.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council in the current year.

Approved February 4, 1954.

AN ACT PROVIDING FOR THE FILING OF COPIES OF CONTRACTS
EXECUTED ON BEHALF OF A CITY WITH THE CITY AUDITOR. Chap. 83

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 17, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 17.* Every officer of a city who makes or

G. L. (Ter.
Ed.), 41, § 17,
amended.

Filing of
copies of city
contracts,
regulated.

Penalty.

executes a contract on behalf of the city shall furnish said contract or a copy thereof to the city clerk and the city auditor within one week after its execution; and the city clerk shall keep such contract or copy on file, open to public inspection during business hours. Such contracts or copies shall be kept in a book by themselves or in several books, arranged according to the subject of the contract, or in other convenient form, and an index to the subject matter of the contracts and to the names of the contractors shall be made semi-annually, and shall also be open to public inspection in some convenient form. All allowances under and additions to such contracts, or copies thereof, shall be filed with the city clerk and the city auditor, together with a sworn statement of the officer making such allowances or additions that the same are correct and in accordance with the contract. A city clerk or other city officer failing to comply with this section shall be punished by a fine of not less than ten nor more than one hundred dollars.

Approved February 4, 1954.

Chap. 84 AN ACT RELATIVE TO THE ESTABLISHMENT OF A TOWN
MANAGER FORM OF GOVERNMENT IN THE TOWN OF IPSWICH.

Be it enacted, etc., as follows:

Chapter 247 of the acts of 1949 is hereby amended by inserting after section 2 the following section: — *Section 2A.* Upon the election and qualification of the five selectmen elected as herein provided, all the powers, rights, duties and liabilities, except as hereinafter provided, now or hereafter conferred or imposed by law upon the selectmen, shall be exercised and performed by the selectmen elected under the provisions of section two. Nothing in this act shall be construed to affect the powers and duties of the selectmen as provided by law, except as specifically provided herein.

Approved February 8, 1954.

Chap. 85 AN ACT RELATIVE TO MEMBERSHIP IN THE SAUGUS POLICE
RELIEF ASSOCIATION, INCORPORATED.

Be it enacted, etc., as follows:

Whenever a member of the Saugus Police Relief Association, Incorporated ceases to be a member of the Saugus police department, he shall cease to be a member of said association and shall no longer be entitled to any benefits therefrom; provided, however, that any member of said association who ceases to be a member of the Saugus police department by reason of being pensioned from said department, shall within thirty days of such retirement be paid from the funds of said association a sum of money equal to the death benefit.

Approved February 8, 1954.

AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE CITY OF NORTHAMPTON TO FIX THE COMPENSATION OF THE SUPERINTENDENT OF SCHOOLS AND THE SECRETARY OF THE SCHOOL COMMITTEE. Chap. 86

Be it enacted, etc., as follows:

SECTION 1. Section 22 of chapter 250 of the acts of 1883 is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence:— The school committee shall annually appoint a secretary who shall be under the direction and control of said committee, and may annually appoint, but not from their own number, a superintendent of the schools; and shall fix the compensation of such secretary and superintendent; and the school committee may remove for sufficient cause such secretary or superintendent.

SECTION 2. This act shall be submitted for acceptance to the legal voters of the city of Northampton at the regular municipal election to be held in said city in the year nineteen hundred and fifty-five, in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election:— “Shall an act passed by the general court in the year nineteen hundred and fifty-four, entitled ‘An Act authorizing the school committee of the city of Northampton to fix the compensation of the superintendent of schools and the secretary of the school committee’, be accepted?” If a majority of the voters voting thereon vote in the affirmative in answer to said question, then this act shall take full effect, but not otherwise.

Approved February 8, 1954.

AN ACT FURTHER DEFINING “PROPERTY” IN THE LAW RELATIVE TO CARRIERS OF PROPERTY BY MOTOR VEHICLE FOR COMPENSATION. Chap. 87

Be it enacted, etc., as follows:

Section 2 of chapter 159B of the General Laws is hereby amended by striking out the paragraph defining “Property”, inserted by section 1 of chapter 346 of the acts of 1949, and inserting in place thereof the following paragraph:—

G. L. (Ter. Ed.), 159B, § 2, etc., amended.

“Property”, any physical matter whatsoever, regardless of value, over which the right of ownership or control may be exercised, including currency, documents and papers of all kinds, except telegraphic messages transmitted by a telegraph company subject to the regulations of the department of public utilities and the Federal Communications Commission.

“Property”, further defined.

Approved February 8, 1954.

Chap. 88 AN ACT RELATIVE TO THE REVOCATION OF CERTAIN LICENSES
ISSUED BY THE DIVISION OF FISHERIES AND GAME.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 131,
§ 16, etc.,
amended.

Revocation of
certain licenses,
regulated.

Section 16 of chapter 131 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 193 of the acts of 1947, and inserting in place thereof the following sentence:— Unless otherwise specifically provided by law, every license, permit or certificate issued under any provision of this chapter, except a license issued under clause three, four or six of section one hundred and seven, held by any person found guilty of, or convicted of, or assessed in any manner after a plea of *nolo contendere*, or penalized in any manner for, a violation of any provision of this chapter, or of corresponding provisions of earlier laws, or of any rule or regulation made under authority thereof, shall be void, and shall immediately be surrendered to any officer authorized to enforce this chapter.

Approved February 8, 1954.

Chap. 89 AN ACT RELATIVE TO ASSESSMENTS IN CONNECTION WITH
THE OPERATION OF THE WATER SUPPLY SYSTEM OF THE
TOWN OF WESTMINSTER.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 369 of the acts of 1950 is hereby amended by striking out, in lines 4 and 5, the words “, with the income derived from the water rates,” — and by adding at the end the following:—; provided, that the amount of such annual tax may be reduced by the amount of the proceeds of the assessments hereinafter provided for which shall be on hand at the time of such tax levy and available for the payment of the principal and interest of such bonds or notes, — so as to read as follows:— *Section 6.* Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section five; and when a vote to that effect has been passed, a sum which will be sufficient to pay the annual expense of operating its water works or the purchasing of water and the maintenance of its pipe lines, as the case may be, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of said town annually thereafter in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished; provided, that the amount of such annual tax may be reduced by the amount of the proceeds of the assessments hereinafter provided for which shall be on hand at the time of such tax levy and available for the payment of the principal and interest of such bonds or notes.

SECTION 2. Said chapter 369 is hereby further amended by inserting after section 6 the following nine sections:—
Section 6A. Said town shall at the time of authorizing said loan or loans provide for the payment thereof in accordance with the provisions of section six, and when a vote to that effect has been passed, a sum sufficient to pay the annual expense of operating its water works or the purchasing of water and the maintenance of its pipe lines, as the case may be, and a further sum equivalent to one third of the interest as it accrues on the bonds or notes issued as aforesaid, and of one third of such payments on the principal as may be required under the provisions of this act, shall without further vote, be assessed by the assessors of said town annually thereafter and the remaining two thirds of such interest as it accrues and two thirds of the payments on the principal as may be required, reduced, however, by such sum as may be derived from the receipt of water rates and charges, further reduced, if at all, by such receipts as may be derived from extensions provided for by section six B, shall be assessed annually thereafter among the estates benefited on the basis of assessed valuation or by such other equitable method of uniform apportionment as said commissioners may determine and direct until the debt incurred by the said loan or loans is extinguished. The foregoing provisions, except as hereinafter provided by section six B, shall also apply to all subsequent loan or loans which may from time to time be authorized for the purpose of making additional extensions to said water system.

Section 6B. Whenever, after the installation of said system, the water commissioners determine to lay and construct water pipes and installations in ways, streets or highways not previously served, and which shall have been duly authorized by vote of the town, said commissioners shall adopt an order stating that that portion of the maturing debt and interest on such extension, reduced in the first year, by the estimated revenue to be derived from such extension during that year and in the succeeding years during the life of said loan or loans by an amount equal to the actual revenue of the preceding year, shall be assessed against the estates benefited by such extension and collected as hereinafter provided. If the cost of such extension is defrayed by the application of accumulated water surplus, said cost so defrayed shall be assessed against the estates benefited by such extension in equal annual installments for fifteen years, provided, however, such equal annual installments shall be reduced in the first year by the estimated revenue to be derived from such extension so defrayed and in subsequent years shall be reduced by an amount equivalent to the actual water revenue derived from said extension during the preceding year. Said assessments shall be collected as hereinafter provided and shall be in addition to the assessment provided for in section six A.

Section 6C. Said commissioners shall, in their assessments under the provisions of sections six A and six B, designate as the owner of each parcel the person who was liable to assessment therefor on the preceding January first, under the provisions of chapter fifty-nine of the General Laws. The said order which states such amount of the cost of such water mains and necessary connecting equipment as is to be assessed shall contain a description sufficiently accurate for identification of the area for the benefit of which the construction is to be made, and shall refer to a plan of such area and shall contain an estimate of the cost to be apportioned and assessed on each parcel of land within such area; and such order, plan and estimate shall be recorded within sixty days from the adoption of the order.

No costs shall be apportioned for such water mains and necessary connecting equipment unless the order, plan and estimate are recorded as herein provided, nor upon any parcel of land not within such area nor for a greater amount than the actual costs.

Within a reasonable time after making the assessment the commissioners shall certify the list of assessments upon land in the town to the assessors who shall forthwith commit such assessments, with their warrant, to the collector of taxes, and he shall, except as to the date of the notice, forthwith send notice in accordance with section three of chapter sixty of the General Laws to the person designated in the order of assessment as the owner of each parcel assessed, and any demand for the payment of such assessment shall be made upon such person.

Except as otherwise herein provided, the collector shall have the same powers and be subject to the same duties with respect to such assessments as in the case of the annual taxes upon real estate; and the law relative to the collection of the annual taxes, to the sale of land for the non-payment thereof, and to redemptions therefrom, shall apply to assessments made under this act so far as the same are applicable, but the owner of the land herein authorized to be assessed shall not be personally liable for the assessment thereon.

After the collector of taxes receives a list and warrant from the assessors, he shall collect the assessment herein set forth, and at such times as the assessors shall direct pay over to the treasurer of the town the amounts collected by him.

Section 6D. Assessments made under this act shall constitute a lien upon the land assessed. The lien shall take effect upon the recording of the order stating that total costs are to be assessed for the improvement. Except as otherwise provided, such lien shall terminate at the expiration of two years from October first in the year in which the assessment is first placed on the annual tax bill under section thirteen of chapter eighty of the General Laws, or, if an assessment has been apportioned, from October first in the year in which the last portion is so placed upon the annual

tax bill, whichever is later, if in the meantime in either case the estate has been alienated and the instrument alienating the same has been recorded. If there is no recorded alienation within such period, the lien shall continue until there is a recorded alienation. If the validity of an assessment made under this act is called in question in any legal proceeding to which the board which made the assessment or the body politic for the benefit of which it was made is a party, instituted prior to the expiration of the lien therefor, the lien shall continue until one year after the validity of the assessment is finally determined, even though an alienation be recorded in the meantime. If at any time while a lien established by this section is in force, a sale or taking cannot, in the opinion of the collector, be legally made because of any federal or state law or because of any injunction or other action of, or proceeding in, any federal or state court or because of the action of any administrative body, the lien shall, if the statement provided for in section thirty-seven A of chapter sixty of the General Laws is filed, continue as provided in said section thirty-seven A, subject, however, to any lawful action under any paramount authority conferred by the constitution or laws of the United States or the constitution of the commonwealth. If the time for payment of an assessment is extended under section thirteen A of chapter eighty of the General Laws, the lien shall, if the statement provided for in said section thirty-seven A of said chapter sixty is filed, continue as provided in said section thirty-seven A.

Section 6E. Assessments made under this act shall bear interest at the rate of four per cent per annum from the thirtieth day after the assessments have been committed to the collector. The assessors shall add each year to the annual tax assessed with respect to each parcel of land all assessments, constituting liens thereon, which have been committed to the collector prior to January second of such year and which have not been apportioned as hereinafter provided, remaining unpaid, as certified to them by the collector, when the valuation list is completed, with interest to the date when interest on taxes becomes due and payable.

Section 6F. If land which is subject to a lien for an assessment made under this act is subsequently divided by sale, mortgage, partition or otherwise, and such division has been duly recorded in the registry of deeds, the board, before the land has been advertised for sale for non-payment of the assessment, may, or upon the written request of the owner or mortgagee of a portion thereof, accompanied by a plan sufficient for the identification of the division of the whole estate, with the names of the different owners thereof, shall divide said assessment or the amount thereof remaining unpaid, and the costs and interest accrued thereon, among the several parcels into which said land has been divided, assessing upon each parcel the part of the original assessment remaining unpaid proportionate to the special benefit re-

ceived by such parcel from the improvement. After such assessment has been so divided, only the part of the assessment, interest and costs assessed upon each parcel shall constitute a lien upon such parcel. At least seven days prior to making such division, the board shall send by registered mail to all owners of any interest in the land assessed, whose addresses are known to them, a notice of their intention to make such division and of the time appointed therefor, unless such notice has been waived. A person aggrieved by any action of the board under this section shall have the same remedy as a person aggrieved by the refusal of the board to abate an assessment.

Section 6G. If an assessment is invalid and has not been paid in full or has been paid under such circumstances that it can be recovered, it may be reassessed by the board in the amount for which the original assessment ought to have been made, at any time before the expiration of two years from the date of the assessment, if the land has in the meantime been alienated; otherwise at any time before the alienation thereof. Such assessment shall be a lien upon any sum paid on account of the original assessment, and to the extent that it is not thereby satisfied shall be a lien upon the land. It shall be collected in the same manner as an original assessment, and shall in all other respects be subject to this act.

Section 6H. Whenever a formal vote or order for the construction of said water mains and the installation of the necessary connecting equipment states that the costs are to be apportioned and assessed under this act, no other betterments or apportionments shall be assessed except under this act, and all proceedings relating to such apportionment shall be as herein provided, notwithstanding any other provision of law.

Section 6I. Except as provided in this act, the provisions of chapter eighty of the General Laws relative to reassessment, surrender of land assessed, petition for abatement, abatement, appeal and other procedure shall apply.

SECTION 3. Section 9 of said chapter 369 of the acts of 1950 is hereby amended by striking out the second sentence thereof and inserting in place thereof, the following new sentence: — Except as otherwise provided, the income of the water works shall be appropriated by vote of the town to defray all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued under authority of this act.

SECTION 4. This act shall take full effect upon its acceptance by vote of the majority of the voters of the town of Westminster voting thereon at any annual or special town meeting held within five years after its passage.

Approved February 8, 1954.

AN ACT PROVIDING THAT THE DIRECTOR OF CIVIL SERVICE MAY IN CERTAIN CASES FIX A MAXIMUM AGE REQUIREMENT FOR POLICE OFFICERS. *Chap. 90*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make existing provisions of the civil service laws relative to maximum age requirements applicable to police officers without delay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

The first paragraph of section 48 of chapter 31 of the General Laws is hereby amended by striking out the last sentence, inserted by chapter 306 of the acts of 1953, and inserting in place thereof the following sentence: — In case an eligible list of at least two available persons is not established from a competitive examination for fire fighter or police officer, the director may, upon request of the appointing authority of a fire force or police force made within six months after the results of the examination are determined, hold another competitive examination in which he may fix a maximum age limit of not more than forty years.

G. L. (Ter. Ed.), 31, § 48, etc., amended.

Age requirement for police officers extended in certain cases.

Approved February 9, 1954.

AN ACT FURTHER REGULATING THE GRANTING OF DIPLOMAS TO HIGH SCHOOL STUDENTS ENTERING THE ARMED SERVICES OF THE UNITED STATES. *Chap. 91*

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by striking out section 34C, inserted by chapter 67 of the acts of 1951, and inserting in place thereof the following section: —

G. L. (Ter. Ed.), 71, § 34C, etc., amended.

Section 34C. Notwithstanding any provision of law to the contrary, any person who enters the armed services of the United States during time of war or during a period of national emergency by declaration of the president of the United States and has completed the first half of his senior year in a public high school, and is in good standing in said school on the date of his entrance into said armed services, shall be granted a diploma forthwith and shall for all purposes be considered to have completed his entire high school course.

Granting of high school diplomas to certain persons in armed services, authorized.

Approved February 9, 1954.

AN ACT DEFINING COASTAL WATERS AS USED IN THE LAWS RELATING TO FISHERIES AND GAME. *Chap. 92*

Be it enacted, etc., as follows:

Section 1 of chapter 131 of the General Laws is hereby amended by inserting after the paragraph defining "Close season", as appearing in section 2 of chapter 599 of the acts of 1941, the following paragraph: —

G. L. (Ter. Ed.), 131, § 1, etc., amended.

"Coastal waters", defined.

"Coastal waters", all waters of the commonwealth within the rise and fall of the tide and the marine limits of the jurisdiction of the commonwealth, but not waters within or above any fishway or dam nor waters above any tidal bound legally established by the department of public works in streams flowing into the sea. *Approved February 9, 1954.*

Chap. 93 AN ACT AUTHORIZING EXEMPTIONS FROM THE LAW REQUIRING ONE DAY'S REST IN SEVEN.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 149, new § 51A, added.

Chapter 149 of the General Laws is hereby amended by inserting after section 51 the following section:— *Section 51A*. The commissioner, if it is proved to his satisfaction that special circumstances require an exemption from section forty-eight, may grant such exemption under such conditions as he deems necessary for a period not exceeding sixty days.

Approved February 9, 1954.

Chap. 94 AN ACT PROVIDING THAT CERTAIN EMPLOYEES OF THE TOWN OF WATERTOWN SHALL NOT BE SUBJECT TO THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. Employees of the town of Watertown hereafter employed by, through or under the authority of a recreation commission created in said town under the provisions of section fourteen of chapter forty-five of the General Laws, shall not be subject to, nor have the benefit of the provisions of chapter thirty-one of the General Laws.

SECTION 2. This act shall take full effect when accepted by a vote of an annual or special town meeting in the town of Watertown duly called for that purpose.

Approved February 9, 1954.

Chap. 95 AN ACT REGULATING THE INVESTMENT OF FUNDS OF GAS AND ELECTRIC COMPANIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 164, § 17A, etc., amended.

Investment of funds of gas and electric companies, regulated.

SECTION 1. Chapter 164 of the General Laws is hereby amended by striking out section 17A, inserted by chapter 132 of the acts of 1932, and inserting in place thereof the following section:— *Section 17A*. No gas or electric company shall, except in accordance with such rules and regulations as the department shall from time to time prescribe, loan its funds or invest its funds in the stock, bonds, certificates of participation or other securities of any corporation, association or trust unless the said loan or investment is approved in writing by the department. A director, treasurer or other officer or agent of a gas or electric company who makes such loan or purchases such securities or votes to authorize such loan or such purchase in violation of this section shall be punished

Penalty.

by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

SECTION 2. Nothing in section seventeen A of chapter one hundred and sixty-four of the General Laws, as amended by section one, shall invalidate any loan or other investment made by any gas or electric company prior to the effective date of this act. Proviso.

Approved February 9, 1954.

AN ACT RELATIVE TO TENURE OF OFFICE OF THE PRESENT INCUMBENT OF THE OFFICE OF SECOND ASSISTANT CITY CLERK IN THE CITY OF WORCESTER. Chap. 96

Be it enacted, etc., as follows:

SECTION 1. Helen M. Defino, the incumbent of the office of second assistant city clerk in the city of Worcester, is hereby given unlimited tenure of office therein, and shall not be involuntarily separated from her service as such, except for cause after a hearing and a decision by the appointing authority. Said decision may be appealed from to the city council within five days after the giving of notice thereof by the appointing authority, and the city council shall give a hearing and decision thereon within thirty days after the filing of a request for a hearing. Within thirty days after notice to the employee of the decision of the city council, the action of the appointing authority and of the city council may be appealed from to the district court subject to and in accordance with the provisions of section forty-five of chapter thirty-one of the General Laws to the same extent as if the office were classified under said chapter thirty-one.

SECTION 2. This act shall take full effect upon its acceptance, in the current year, by vote of the city council of said city.

Approved February 9, 1954.

AN ACT RELATIVE TO THE REGULATION OF STREET TRAFFIC IN THE CITY OF BOSTON. Chap. 97

Be it enacted, etc., as follows:

The authority vested by chapter four hundred and forty-seven of the acts of nineteen hundred and eight in the street commissioners of the city of Boston which has not heretofore become vested in the Boston traffic commission is hereby transferred to the Boston traffic commission.

Approved February 9, 1954.

AN ACT PROHIBITING THE EMPLOYMENT OF CHILDREN UNDER SIXTEEN YEARS OF AGE ON MOVING MOTOR VEHICLES. Chap. 98

Be it enacted, etc., as follows:

Section 61 of chapter 149 of the General Laws, as amended, is hereby further amended by inserting after the word "room" in line 24, as appearing in the Tercentenary Edition, the words: — ; or in any capacity on moving motor vehicles.

G. L. (Ter.
Ed.), 149,
§ 61, etc.,
amended.

Approved February 9, 1954.

Chap. 99 AN ACT REGULATING THE TAKING OF TROUT IN COASTAL WATERS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which is for the immediate protection and conservation of trout resources in our coastal waters, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 131,
new § 45A,
added.
Taking of
trout in
coastal waters,
regulated.

Chapter 131 of the General Laws is hereby amended by inserting after section 45 the following section: — *Section 45A.* Brook, brown and rainbow trout may be taken in coastal waters of the commonwealth by angling only, subject to the rules and regulations promulgated under section forty-five for taking such trout in rivers and streams.

Approved February 10, 1954.

Chap.100 AN ACT INCREASING THE AMOUNT THAT MAY BE EXPENDED FOR THE ERECTION AND EQUIPMENT OF AN ADDITION TO THE COUNTY COURT HOUSE IN THE COUNTY OF DUKES COUNTY, AND CERTAIN INCIDENTAL EXPENSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 88 of the acts of 1953 is hereby amended by striking out section 1 and inserting in place thereof the following section:—*Section 1.* The county commissioners of the county of Dukes county are hereby authorized to raise and expend a sum not exceeding two hundred and twenty-five thousand dollars for the erection on land now owned by said county of an addition to said county court building, including plans and specifications, architect's fees and expenses, repairs and alterations, located in said county and the equipping and furnishing thereof.

SECTION 2. Said chapter 88 is hereby further amended by striking out section 3 and inserting in place thereof the following section:—*Section 3.* To provide funds for the erection and original equipping and furnishing of the addition mentioned in section one of this act including plans and specifications, architect's fees and expenses, repairs and alterations, the treasurer of the county of Dukes county with the approval of said county commissioners may borrow from time to time upon the credit of the county such sums not exceeding in the aggregate two hundred and fifteen thousand dollars as may be necessary and may issue bonds or notes therefor which shall bear on their face the words, County of Dukes County Court House Addition, Act of 1953. Each authorized issue shall constitute a separate loan. Such bonds or notes shall be payable in such annual installments, beginning not more than one year from the date thereof, as will extinguish each loan in not more than thirty years from their dates, and so that the amount of such annual payment in any year shall not be less than the

amount of the principal of the loan payable in any subsequent year. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of said county commissioners. The county may sell said securities at public or private sale upon such terms and conditions as said county commissioners may deem proper but not for less than their par value. *Approved February 10, 1954.*

AN ACT FURTHER EXTENDING THE PRIVILEGE OF ABSENT VOTING. *Chap.101*

Be it enacted, etc., as follows:

Chapter 54 of the General Laws is hereby amended by striking out section 86, as most recently amended by section 1 of chapter 153 of the acts of 1951, and inserting in place thereof the following section:— *Section 86.* Any voter who during the hours that the polling places are open on the day of the biennial state election is absent from the city or town where he is a voter by reason of his employment in another community or for any other reason or who will be unable by reason of physical disability to cast his vote in person at the polling place, and whose application for an official absent voting ballot has been filed with the city or town clerk as provided in section eighty-nine, or with the state secretary, and certified under section ninety-one, may vote in accordance with sections eighty-seven to one hundred and three, inclusive; provided, that a voter who is in a penal institution under sentence shall not be entitled or permitted to avail himself of the provisions of this and the seventeen following sections; and provided, further, that a voter who will be unable by reason of physical disability to cast his vote in person at the polling place shall file with the city or town clerk with his application for an official absent voting ballot a certificate executed by a registered physician, attending registered nurse, superintendent of a hospital or like institution or a practitioner of the Christian Science Church, stating that the voter will be unable by reason of physical disability to cast his vote in person at the polling place on the day of election.

G. L. (Ter. Ed.), 54, § 86, etc., amended.

Privilege of absent voting, further extended.

Approved February 10, 1954.

AN ACT RELATIVE TO THE COUNTING OF ABSENTEE BALLOTS IN CITIES AND TOWNS WHERE VOTING MACHINES ARE USED. *Chap.102*

Be it enacted, etc., as follows:

Chapter 54 of the General Laws is hereby amended by striking out section 94, as amended by section 1 of chapter 39 of the acts of 1952, and inserting in place thereof the following section:— *Section 94.* Upon receipt of an envelope purporting to contain an official absent voting ballot, the clerk of the city or town shall attach thereto the applica-

G. L. (Ter. Ed.), 54, § 94, etc., amended.

Counting of absentee ballots in certain cities

and towns,
regulated.

tion for an official ballot executed by the voter whose name appears thereon and certified by the registrars of voters. All such envelopes shall be preserved unopened. Upon election day within one hour after the hour for the closing of the polls the said clerk shall, except in cities and towns where voting machines are used exclusively, deliver all envelopes received by him to the election officers in the several voting precincts where the voters named therein assert the right to vote, and in cities and towns where voting machines are used exclusively the clerk shall deliver all such envelopes to the office of the registrars of voters. Within one hour after the closing of the polls in cities and towns where voting machines are so used the warden or his deputy in each polling place shall, notwithstanding the provisions of section ninety-five, if any person or persons whose name as appearing on the voting list of those having the right to vote thereat bears after it the letters A.V., as provided in section ninety-one, has voted in person at said polling place, forward to the registrar a certificate bearing the name of such person or persons and the statement that such person has voted in person, or if no such person has voted in person, a statement that no person authorized to vote by absentee ballot has voted in person. Upon receipt of such certificate from all polling places in the city or town, the registrars shall publicly at a designated place proceed to open all envelopes received from the clerk and to count the same in the manner provided by sections ninety-five and one hundred and five, crediting each such ballot to the appropriate precinct or polling place, and totalling the same. For the purposes of counting such ballots the board of registrars shall have the powers and duties of election officers and the chairman of the board shall be the presiding officer, the provisions of section twenty-five of chapter fifty-one to the contrary notwithstanding. *Approved February 10, 1954.*

Powers and
duties of
registrars
of voters.

Chap.103 AN ACT ELIMINATING THE RESTRICTIONS ON THE AMOUNT OF THE TOTAL DEATH BENEFITS PAYABLE BY FRATERNAL BENEFIT SOCIETIES ON THE LIVES OF CERTAIN CHILDREN.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 176,
§ 23, etc.,
amended.

Certain death
benefits
payable by
fraternal ben-
efit societies,
regulated.

Chapter 176 of the General Laws is hereby amended by striking out section 23, as most recently amended by chapter 132 of the acts of 1951, and inserting in place thereof the following section:— *Section 23.* Any society operating on the lodge system may provide in its constitution and by-laws, in addition to other benefits provided for therein, for the payment of death, endowment or annuity benefits upon the lives of children less than eighteen years of age, and may loan upon the security of the value of certificates of such benefits a sum not exceeding the legal reserve which it is required to maintain thereon. Any such society may at its option organize and operate branches for such children, and

membership in local lodges and initiation therein shall not be required of such children, nor shall they have any voice in the management of the society.

Approved February 10, 1954.

AN ACT RELATIVE TO THE APPOINTMENT OF FOREST WARDENS. *Chap.104*

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by striking out section 8, as amended by section 10 of chapter 490 of the acts of 1941, and inserting in place thereof the following section: — *Section 8.* The mayor in cities, subject to charter provisions, and, except as provided in section forty-three, the selectmen in towns, shall annually, in June, appoint a forest warden, and forthwith give notice thereof to the director of forests and parks in the department of natural resources, in this chapter called the forester. The same person may hold the offices of tree warden, selectman, chief of the fire department and forest warden. The forest warden so appointed shall hold office for one year and until his successor is appointed and qualified. Upon the failure of the mayor of a city or the selectmen of a town to make such appointment in the month of June or within thirty days after the office becomes vacant through any cause, the forester shall notify the mayor or selectmen so to do, and if the mayor or selectmen fail to comply within fourteen days after receipt of such notice, the forester may appoint as forest warden in such city or town a suitable person, who shall be a resident thereof. *Approved February 10, 1954.*

G. L. (Ter. Ed.), 48, § 8, etc., amended.

Appointment of forest wardens, regulated.

AN ACT RELATIVE TO THE TRANSFER OF CUSTODY OF CERTAIN LAND BY CITIES AND TOWNS. *Chap.105*

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by striking out section 15A, inserted by section 4 of chapter 798 of the acts of 1951, and inserting in place thereof the following section: — *Section 15A.* Whenever a board or officer having charge of land, including land acquired for playground purposes pursuant to the provisions of section fourteen of chapter forty-five, but excluding land acquired for park purposes, constituting the whole or any part of an estate held by a city or town within its limits for a specific purpose shall determine that such land is no longer needed for such purpose, whether such land was acquired before or after the effective date of this section and whether acquired by eminent domain, purchase, gift, devise or otherwise, such board or officer shall forthwith give notice of such determination to the city council of the city or the board of selectmen of the town. At any time after the receipt of such notice, the city council of the city by a two thirds vote of all its members, in the case of a city having a city manager, with the approval of said city

G. L. (Ter. Ed.), 40, § 15A, etc., amended.

Transfer of custody of certain land by cities and towns, regulated.

manager, and in the case of other cities, with the approval of the mayor, or the town by a two thirds vote at a regular or special town meeting, may transfer the care, custody, management and control of such land to the same or another board or officer of the city or town for another specific municipal purpose, any provision of general or special law to the contrary notwithstanding; provided, that no such transfer shall be valid if it is in violation of any term or condition of the title of the city or town to such land.

Approved February 10, 1954.

Chap.106 AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW MONEY TO DEFRAY EXPENSES OF ERADICATION OF DUTCH ELM DISEASE.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to grant authority forthwith to cities and towns to borrow money to finance a program of eradication of Dutch elm disease, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 44, § 8,
amended.

Eradication of
Dutch elm
disease.

Section 8 of chapter 44 of the General Laws is hereby amended by inserting after clause (13) the following clause: —

(14) For the financing of a program of eradication of Dutch elm disease, including all disbursements on account of which reimbursement is authorized or may be authorized by the commonwealth, county, any city or town, or by any manner of assessment or charges, pursuant to and consistent with the provisions of chapter one hundred and thirty-two, five years.

Approved February 15, 1954.

Chap.107 AN ACT RELATIVE TO THE COMMENCEMENT OF ACTIONS ARISING OUT OF CERTAIN MOTOR VEHICLE ACCIDENTS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 260,
§ 4B, etc.,
amended.

Section 4B of chapter 260 of the General Laws, inserted by chapter 531 of the acts of 1949, is hereby amended by striking out, in line 8, the words "ninety days" and inserting in place thereof the words: — six months.

Approved February 15, 1954.

Chap.108 AN ACT PERTAINING TO THE LIMITATIONS ON HOLDINGS IN CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 170,
§ 16, etc.,
amended.

Section 16 of chapter 170 of the General Laws, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs: —

Holdings in
co-operative
banks, limited.

Except as otherwise provided in this chapter and in other applicable provisions of law, no person individually shall hold in any one such corporation, at the same time, more than

forty serial shares and more than a combined total of forty paid-up and savings shares; and no two or more persons, as provided in section fifteen, shall hold more than eighty serial shares and more than a combined total of eighty paid-up and savings shares, and each person so holding shares with one or more other persons also may hold shares individually, but the total amount of shares in such corporation held at the same time by such person both individually and with one or more other persons, shall not exceed eighty serial shares and the combined total of eighty paid-up and savings shares. Said limitations upon individual holdings shall apply to shares held by more than one fiduciary in the same estate and to shares held for each estate where the same person is a fiduciary in two or more distinct estates.

The foregoing limitations upon holdings of two or more persons shall apply to shares held by the commonwealth or any political subdivision thereof, a banking institution, religious, charitable, medical service or cemetery organization or corporation, labor union, credit union, or fraternal benefit society, or with respect to any one estate or proceeding in the name of a judge of probate or by order or approval of court, or on account of any fund held by any fiduciary subject to the supervision of any court, or on account of any fund held in custody or trust under the jurisdiction of the commonwealth or any political subdivision thereof, or by any public or private retirement or pension system, association, corporation or trust.

Approved February 15, 1954.

Limitations made applicable to certain organizations, persons, etc.

AN ACT PERTAINING TO CONTRIBUTIONS TO THE CO-OPERATIVE BANKS EMPLOYEES RETIREMENT ASSOCIATION FUND BY PARTICIPATING BANKS.

Chap. 109

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 51 of chapter 170 of the General Laws, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — A participating bank may contribute to the funds of the association to the extent determined by its board of directors, but its contributions for future service, as defined in the by-laws, on account of any employee shall not exceed such employee's contributions or five per cent of his salary or wages, whichever is less, and an additional amount of not more than five per cent of that part of such employee's annual salary or wages which is not in excess of ten thousand dollars.

G. L. (Ter. Ed.), 170, § 51, etc., amended.

Certain contributions to co-operative banks employees retirement association funds, regulated.

SECTION 2. The last paragraph of said section 51 of said chapter 170, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — No annuity or pension provided by contributions from a participating bank for the benefit of any employee on account of past and future service shall

G. L. (Ter. Ed.), 170, § 51, etc., further amended.

Amount of certain annuities or pensions, limited.

exceed one half of the average annual salary of the employee for the five years preceding the date of retirement, or five thousand dollars, whichever is less.

Approved February 15, 1954.

Chap.110 AN ACT REGULATING THE EMPLOYMENT OR APPEARANCE OF CHILDREN IN THEATRICAL OR OTHER PUBLIC EXHIBITIONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 149, § 104, etc., amended.

Employment or appearance of children in theaters, etc., regulated.

Chapter 149 of the General Laws is hereby amended by striking out section 104, as most recently amended by section 2 of chapter 193 of the acts of 1939, and inserting in place thereof the following section: — *Section 104.* No person shall employ a child under fifteen years of age, or permit him to appear as a participant in a theater, circus or any other public exhibition as a singer, dancer, acrobat, actor or in any other entertainment capacity; but this section shall not prevent the education of children in vocal and instrumental music or dancing or their participation in any exhibition of dancing conducted as a part of its graduation exercises by a school furnishing them instruction in dancing, or their participation in a church, chapel, school or school exhibition, or prevent their taking part in any festival, concert or other non-commercial exhibition upon the special written permission of the local licensing authority; nor shall it prevent children under fifteen from taking part on the stage for a limited period in a play or musical comedy in a theater wherein not more than two performances are given in any one day and not more than eight performances are given in any one week if the commissioner, after being satisfied that the supervision of such children is adequate, that their living conditions are healthful and that their education is not neglected, gives his written permission to such taking part. Whoever violates this section shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than six months. *Approved February 15, 1954.*

Penalty.

Chap.111 AN ACT RELATIVE TO THE INVESTMENTS OF DOMESTIC LIFE INSURANCE COMPANIES IN MASSACHUSETTS VOLUNTARY ASSOCIATIONS AND TRUSTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 63, etc., amended.

Investments of domestic life insurance companies.

SECTION 1. Section 63 of chapter 175 of the General Laws is hereby amended by striking out paragraph 14A, inserted by section 8 of chapter 266 of the acts of 1947, and inserting in place thereof the following paragraph: —

14A. In the bonds, notes or other evidences of indebtedness of companies incorporated under the laws of the United States, or any state thereof, or of the Dominion of Canada or any province thereof or of associations or trusts as defined in section one of chapter one hundred and eighty-two, the average net earnings of the issuing company or such associa-

tion or trust, as the case may be, during the seven fiscal years next preceding the date of investment having been not less than four times the fixed charges, provided, however, that no more than one half of the capital of any domestic company, other than life, and not more than one half of the reserve of any domestic stock or mutual life company may be invested under this paragraph. "Net earnings", as used in this paragraph, shall mean net income after deducting operating and maintenance expenses, taxes other than federal, state, dominion and provincial income taxes, depreciation and depletion, but excluding extraordinary non-recurring items of income or expense appearing in the regular financial statements of the issuing company or such association or trust, as the case may be. "Fixed charges", as used in this paragraph, shall include interest on all debt and annual apportionment of debt discount or premium.

SECTION 2. Section 66 of chapter 175 of the General Laws, as amended by chapter 650 of the acts of 1947, is hereby further amended by striking out the second paragraph and inserting in place thereof the following two paragraphs: —

G. L. (Ter. Ed.), 175, § 66, etc., amended.

Nothing in this section or in section sixty-three shall prevent such a life company from investing or loaning any funds, not required to be invested as provided in section sixty-three, in any manner that the directors may determine; provided, that no loan of such funds shall be made to an individual or firm unless it is secured by collateral security and provided further, that such funds shall not be invested in the purchase of stock or evidence of indebtedness prohibited by the preceding paragraph, except as hereinafter provided. Any such life company may invest such funds in the capital stock of a trust company incorporated in and doing business in the commonwealth or of a national banking association incorporated under federal law and located in any one of the New England states, if such trust company or association has paid dividends in cash of not less than four per cent on its capital stock in each of the five years next preceding the date of the investment and if the amount of surplus of such trust company or association is at least equal to fifty per cent of the amount of its capital stock; but no such life company shall invest in the aggregate an amount in excess of two and one half per cent of its reserve in the purchase of stock of such trust companies and national banking associations, nor shall it invest an amount in excess of two per cent of its reserve in the purchase of the stock of any one such trust company or association, except that if two or more such trust companies or associations merge or consolidate or one or more such trust companies is merged or consolidated with one or more such associations, such a life company may acquire stock of the absorbing or consolidating trust company or national banking association to an amount in excess of two per cent but not in excess of two and one half per cent of the reserve of such life company, if such stock is received in

Same subject.

exchange for stock of the consolidating or merging companies or associations owned by the life company at the time of the merger or consolidation.

Nothing in this section or in section sixty-three shall prevent such a life company from investing or loaning any funds, not required to be invested as provided in section sixty-three, in the transferable certificates of participation or shares, bonds, notes or other evidences of indebtedness, whether or not secured by collateral, of an association or trust as defined in section one of chapter one hundred and eighty-two; provided, that it shall not invest in, acquire or hold directly or indirectly more than ten per cent of the certificates of participation or shares of any such association or trust and that no more than ten per cent of its capital and surplus may be invested in the transferable certificates of participation or shares of any one such association or trust.

Approved February 15, 1954.

Chap.112 AN ACT RELATIVE TO THE CHERRY VALLEY AND ROCHDALE WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 381 of the acts of 1910 is hereby amended by striking out section 2, as amended by chapter 198 of the acts of 1947, and inserting in place thereof the following section: — *Section 2.* For the purposes aforesaid the said water district acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality acting through its water department, or with any water company, or with any water district, for whatever water it may require, authority to furnish same being hereby granted; and may take or acquire by purchase, or otherwise the waters of Henshaw pond, so called, situated in Leicester, and also lands, easements, water and water rights connected with such lands and any springs and streams percolating or running through the same situated in the town of Leicester lying adjacent to said Henshaw pond.

SECTION 2. Said chapter 381 is hereby further amended by striking out section 7 and inserting in place thereof the following section: — *Section 7.* Said water district may make such contracts with individuals, corporations, other water districts, water companies, and the town of Leicester for supplying water as may be agreed upon, and may extend its pipes for that purpose, subject to the direction of the selectmen of the town of Leicester, through the highways of said town lying outside the corporate limits of said water district; may extend its pipes into the town of Oxford for a distance not exceeding nine thousand feet from the boundary line between the towns of Leicester and Oxford, subject to the direction of the selectmen of the town of Oxford; may extend its pipes into the town of Charlton for a distance not exceeding six thousand feet from the westerly boundary line of the town of Charlton, subject to the direction of the

selectmen of the town of Charlton; and may extend its pipes into the town of Auburn for a distance not exceeding six thousand feet from the boundary line between the towns of Leicester and Auburn, subject to the direction of the selectmen of the town of Auburn.

Approved February 15, 1954.

AN ACT RELATIVE TO THE APPROPRIATION FOR THE ADMINISTRATION OF THE DEPARTMENT OF MENTAL HEALTH. Chap. 113

Be it enacted, etc., as follows:

Item 1701-02 of section 2 of chapter 489 of the acts of 1953 is hereby amended by striking out, in lines 3 and 4, the words “, medical examinations and boarding out” and inserting in place thereof the words: — and medical examinations, — so that the wording of said item will read as follows: —

Item

1701-02 For administration, including not more than one hundred and two permanent positions, and including transportation and medical examinations of patients and certain feeble-minded persons; provided, that the position of supervisor of laundry service shall not be subject to the civil service laws and rules.

Approved February 15, 1954.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, February 18, 1954.

HONORABLE EDWARD J. CRONIN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

SIR: — I, Christian A. Herter, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, “The Referendum II, Emergency Measure”, do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the fifteenth day of February in the year one thousand nine hundred and fifty-four, being Chapter 113 of the Acts of 1954 entitled, “An Act Relative to the Appropriation for the Administration of the Department of Mental Health”, should take effect forthwith and that it is an emergency law, and that facts constituting the emergency are as follows:

The delayed operation of this legislation would make it impossible to have funds now allocated to the individual mental hospitals available for payment of board for persons boarded out by the hospitals. Therefore, it is necessary that the legislation referred to above should take effect forthwith.

Very truly yours,

CHRISTIAN A. HERTER,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, February 18, 1954.

I, Leo M. Harlow, Deputy Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven o'clock and fifteen minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and thirteen of the acts of nineteen hundred and fifty-four.

LEO M. HARLOW,
Deputy Secretary of the Commonwealth.

Chap.114 AN ACT RELATIVE TO THE FILING OF CERTIFICATES OF NOMINATION AND NOMINATION PAPERS FOR CITY OFFICES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 53, § 10, etc., amended.

Filing dates of city nomination papers, established.

The second paragraph of section 10 of chapter 53 of the General Laws, as most recently amended by section 3 of chapter 229 of the acts of 1943, is hereby further amended by striking out the first two sentences and inserting in place thereof the following sentence:— In any city, except as otherwise provided in any special law affecting such city, certificates of nomination and nomination papers for city offices shall be filed on or before the twenty-first day preceding the day of the election; provided, however, that, in any city, except Boston, which accepts section one hundred and three A of chapter fifty-four, certificates of nomination and nomination papers for any regular city election shall be filed on or before the twenty-eighth day preceding such city election.

Approved February 15, 1954.

Chap.115 AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO TRANSFER A PORTION OF LAND NOW HELD FOR PARK PURPOSES IN EXCHANGE FOR CERTAIN LAND BORDERING ON LONG POND IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Falmouth is hereby authorized, through its board of selectmen, to transfer and convey to F. V. Lawrence, Inc., a certain portion of Good Will park, now held for park purposes, hereafter designated as parcel A, in consideration of the transfer and conveyance by said F. V. Lawrence, Inc. to said town of a certain parcel of land bordering on Long pond, hereafter designated as parcel B, both of said parcels being the same as shown on a plan prepared by Charles A. White, C.E., and respectively bounded and described as follows:—

Parcel A. Bounded northwesterly by land of the town of Falmouth, five hundred ten feet; northeasterly by land of the said town of Falmouth, one thousand seventy feet; southeasterly by Gifford street, one hundred forty feet; southerly

by land of F. V. Lawrence, Inc., four hundred fifty-seven and forty-nine hundredths feet; southwesterly by land of said F. V. Lawrence, Inc., and land of Grant Lunn et ux, nine hundred seventy-six and ninety-five hundredths feet. Containing nine and one tenth acres.

Parcel B. Bounded northeasterly by land of the Trustees of Public Reservations, four hundred ninety-five and three hundredths feet; easterly by land of Sidney W. Lawrence, nine hundred seventy-five feet more or less; southwesterly by land of the town of Falmouth, five hundred seventy-three and eight hundredths feet; westerly by Long pond. Containing ten acres.

SECTION 2. The action of said town of Falmouth taken at the annual town meeting held on February fourteenth, nineteen hundred and fifty-one, in voting to authorize the exchange of said parcels of land, as contained in article sixty of the warrant for said meeting, is hereby validated and confirmed and shall have the same effect as if this act had been in force at the time of said meeting, and the subsequent approval of the board of park commissioners is hereby validated and confirmed.

SECTION 3. This act shall take effect upon its passage.

Approved February 15, 1954.

AN ACT AUTHORIZING HOUSING AUTHORITIES TO DISPOSE OF CERTAIN PROJECT-OWNED GAS, ELECTRIC OR HEATING DISTRIBUTION SYSTEMS. Chap. 116

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow housing authorities to dispose of certain equipment forthwith, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section 26NN of chapter 121 of the General Laws is hereby amended by adding after subdivision (f), inserted by chapter 508 of the acts of 1953, the following subdivision: —

G. L. (Ter.
Ed.), 121,
§ 26NN, etc.,
amended.

(g) Whenever a housing authority shall determine that any gas, electric or heating distribution system which has been built or acquired for the purposes of this section is no longer required for such purposes, it may, upon approval by the state housing board, sell or otherwise dispose of such gas, electric or heating distribution system, or any part thereof, by deed or instrument approved as to form by the attorney general. Funds received from a sale of a gas, electric or heating distribution system or any part thereof, as herein provided, shall be paid into the Housing Authority Bonds Sinking Fund as provided in this section.

Disposal of
certain
equipment
by housing
authorities,
authorized.

Approved February 16, 1954.

Chap.117 AN ACT RELATIVE TO THE USE OF CERTAIN LAND IN THE CITY OF LAWRENCE BY THE UNITED STATES OF AMERICA.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 569 of the acts of 1946 is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

The above described parcel of land may be conveyed by said city of Lawrence to the United States of America to have and to hold so long as the premises shall be used for governmental purposes, but, subject to an easement providing that said city and the town of Andover may continue to maintain through the premises so conveyed an existing outfall sewer owned jointly by said city and said town, and may retain for themselves a right of entry into said premises for the purposes of maintaining and repairing said sewer, and subject to the conditions that if the United States of America shall at any time discontinue the use of the premises for governmental purposes as set forth herein, the aforesaid parcel of land shall revert to the city of Lawrence.

SECTION 2. This act shall take effect upon its passage.

Approved February 16, 1954.

Chap.118 AN ACT RELATIVE TO THE ERADICATION OF POISON IVY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make its provisions relative to the eradication of poison ivy effective immediately, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 132,
§ 26, etc.,
amended.

Eradication of
poison ivy.

Section 26 of chapter 132 of the General Laws, as most recently amended by section 20 of chapter 660 of the acts of 1948, is hereby further amended by adding at the end the following sentence: — Poison ivy growing within one hundred feet of any public way shall be considered a public nuisance on private lands within the meaning of this section.

Approved February 16, 1954.

Chap.119 AN ACT ABOLISHING THE FUNCTIONS FORMERLY EXERCISED BY THE BOARD OF SURVEY IN THE CITY OF BOSTON AND REPEALING CERTAIN LIMITATIONS ON THE CONSTRUCTION OF PUBLIC WAYS AND OTHER PUBLIC IMPROVEMENTS IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The powers conferred, and the duties imposed, on the city planning board of the city of Boston by chapter four hundred and fourteen of the acts of nineteen hundred and fifty-three are hereby abolished.

SECTION 2. Section 1 of chapter 210 of the acts of 1898 is hereby repealed.

SECTION 3. Section 10 of chapter 393 of the acts of 1906, as amended by section 1 of chapter 117 of the acts of 1947, is hereby further amended by striking out the last sentence.

SECTION 4. This act shall take effect upon its passage.

Approved February 16, 1954.

AN ACT TO DEFINE IN PART THE BOUNDARY LINE BETWEEN THE TOWNS OF LEXINGTON AND WINCHESTER. **Chap.120**

Be it enacted, etc., as follows:

SECTION 1. The following described line shall hereafter be the boundary line in part between the towns of Lexington and Winchester. Beginning at a stone monument in the boundary line of said towns as heretofore established, which monument is situated at latitude forty-two degrees, twenty-six minutes, thirty-seven and three-tenths seconds, longitude seventy-one degrees, ten minutes, fifty-nine seconds, and is known in said town of Lexington as number LW-three and in said town of Winchester as corner number five, thence running north forty-five degrees, one minute west about eighteen hundred and seventy-two feet to a monument in the boundary line of said towns as heretofore established, which latter monument is situated at latitude forty-two degrees, twenty-six minutes, fifty and thirty-seven one-hundredths seconds, longitude seventy-one degrees, eleven minutes, sixteen and sixty-six one-hundredths seconds, and is known in said town of Lexington as number LW-one and in said town of Winchester as corner number six.

SECTION 2. This act shall take effect upon its passage.

Approved February 16, 1954.

AN ACT RELATIVE TO THE INVESTMENT OF FUNDS OF THE CREDIT UNION EMPLOYEES RETIREMENT ASSOCIATION. **Chap.121**

Be it enacted, etc., as follows:

SECTION 1. Section 31 of chapter 171 of the General Laws, inserted by section 1 of chapter 509 of the acts of 1948, is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph: —

The funds contributed by participating credit unions and member employees shall be held or used by the trustees of the association for the purchase of annuities or payment of pensions to eligible employees upon their retirement from service, for the payments to beneficiaries or representatives of any member employee of the participating credit union dying before reaching the age of retirement, and for the payment to any such employee retiring from service before becoming entitled to a pension or annuity; or such funds may be invested with the CUNA retirement savings fund for any or all of the aforementioned purposes. Expenses necessary for the administration of the association shall be paid by participating credit unions, on a proportionate basis as provided in the by-laws.

G. L. (Ter. Ed.), 171, § 31, etc., amended.

Investment of certain funds of the Credit Union Employees Retirement Association.

G. L. (Ter.
Ed.), 171,
§ 31, etc.,
further
amended.

SECTION 2. Said section 31 of said chapter 171, as so inserted, is hereby further amended by adding at the end the following paragraph: —

Participating
members of
CUNA.

Any credit union, by the affirmative vote of two thirds of its members present and voting at the annual meeting of the corporation or at a special meeting of the corporation called for such purpose, may affiliate itself directly with and become a participating member of the CUNA retirement savings fund, and may contribute to such fund for the purpose of providing pensions or other benefits to the eligible employees of such participating credit union to the extent determined by its directors, but its contribution for future service on account of any employee shall not exceed such employee's contributions or five per cent of his wages or salary, whichever is less. A participating credit union may also contribute for past service of participating employees, but such contribution shall not be made for more than ten years of such past service and shall not exceed five per cent of the total wages and salaries paid to such employees during such past service period.

Approved February 16, 1954.

Chap.122 AN ACT FURTHER REGULATING PERSONAL LOANS BY CREDIT UNIONS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 171,
§ 24, etc.,
amended.

SECTION 1. Subdivision (A) of section 24 of chapter 171 of the General Laws is hereby amended by striking out paragraph 1, as appearing in chapter 117 of the acts of 1951, and inserting in place thereof the following paragraph: —

Loans by
credit unions.

1. To an amount of one hundred dollars or one per cent of the assets, whichever is greater, not exceeding three hundred dollars, if evidenced by the unendorsed and unsecured note of the borrower.

G. L. (Ter.
Ed.), 171,
§ 24, etc.,
further
amended.

SECTION 2. Said subdivision (A) of said section 24 of said chapter 171 is hereby further amended by striking out paragraph 2, as so appearing, and inserting in place thereof the following paragraph: —

Same subject.

2. To an amount of three hundred dollars or two per cent of the assets, whichever is greater, not exceeding five hundred dollars, if evidenced by the note of the borrower with one or more responsible endorsers or co-makers thereon, or with satisfactory collateral pledged to secure the same.

G. L. (Ter.
Ed.), 171,
§ 24, etc.,
further
amended.

SECTION 3. Said subdivision (A) of said section 24 of said chapter 171 is hereby further amended by striking out the paragraph amended by section 2 of chapter 159 of the acts of 1953, and inserting in place thereof the following paragraph: —

Same subject.

Notwithstanding the limitations set forth in paragraph four of this section, a credit union having assets of one hundred thousand dollars or more may make loans in amounts not exceeding twenty-five hundred dollars if evidenced by

the note of the borrower fully secured by a pledge of satisfactory collateral valued at not more than eighty per cent of its market value. *Approved February 16, 1954.*

AN ACT PROVIDING FOR A UNICAMERAL CITY COUNCIL IN THE CITY OF NORTHAMPTON. *Chap.123*

Be it enacted, etc., as follows:

SECTION 1. Sections seven and eight and the last sentence of section nine of chapter two hundred and fifty of the acts of eighteen hundred and eighty-three are hereby repealed.

SECTION 2. Said chapter 250 of the acts of 1883 is hereby further amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* The administration of all the fiscal, prudential, and municipal affairs of the said city, with the government thereof, shall be vested in an officer to be called the mayor, and a council of nine members to be called the city council, who shall be sworn to the faithful performance of their duties. A majority of the city council shall constitute a quorum for the transaction of business. The mayor and each member of the city council shall receive for his services such salary as the city council shall by ordinance determine, and shall receive no other compensation from the city. One member of the city council shall be elected by and from the qualified voters of each ward, and shall, at the time of election, be a resident of the ward in which elected. Two members of the city council shall be elected by and from the qualified voters of the city, voting in their respective wards, and shall be known as councillors-at-large. The members of the city council shall hold office for the term of two years from the first Monday in January next following their election, and until a majority of the succeeding council is chosen and qualified. After being sworn to the faithful performance of their duties, the members of the city council shall be organized by electing from among their own number a president, who shall preside at all meetings of the city council in the absence of the mayor, and shall act as mayor in case of a vacancy in the office of mayor or of his inability to act until the inability ceases or the vacancy is filled. If a vacancy occurs through the death, resignation, or removal from the city of a member of the city council, the city council shall forthwith order an election to fill such vacancy, unless less than six months remains of the term for which such member has been elected. The city clerk shall serve as clerk of the city council and shall receive no extra compensation therefor.

SECTION 3. The city council elected in accordance with section two of said chapter two hundred and fifty of the acts of eighteen hundred and eighty-three, as amended by section two of this act, and their successors, shall thereafter be vested with all the privileges, powers and rights and be subject to all the duties and obligations conferred or imposed by law

upon the common council and board of aldermen, acting separately or together, as existing prior to the effective date of this act.

SECTION 4. Upon petition of ten per cent of the registered voters of the city of Northampton certified by the registrars of voters and filed with the city clerk not later than sixty days prior to the municipal election in the year nineteen hundred and fifty-five, this act shall be submitted to the registered voters of said city at the regular municipal election in the year nineteen hundred and fifty-five, in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the general court in the year nineteen hundred and fifty-four, entitled, 'An Act providing for a unicameral city council in the city of Northampton', be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, then this act shall take full effect for the nomination and election of municipal officers in said city in the year nineteen hundred and fifty-seven, but not otherwise.

Approved February 16, 1954.

Chap.124 AN ACT RELATIVE TO THE OBSERVANCE EACH YEAR OF THE CONTRIBUTION TO THE SUCCESS OF THE AMERICAN REVOLUTION OF PETER FRANCISCO.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 6, new
§ 12S, added.
Peter
Francisco Day.

Chapter 6 of the General Laws is hereby amended by inserting after section 12R, inserted by chapter 172 of the acts of 1953, the following section: — *Section 12S.* The governor shall annually issue a proclamation calling for a proper observance of March fifteenth, as a day set apart in recognition of the heroic contribution toward the success of the American Revolution by Peter Francisco.

Approved February 16, 1954.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, February 17, 1954.

HONORABLE EDWARD J. CRONIN, *Secretary of the Commonwealth,
State House, Boston, Massachusetts.*

SIR: — I, Christian A. Herter, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measure", do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the sixteenth day of February in the year one thousand nine hundred and fifty-four, being Chapter 124 of the Acts of 1954 entitled, "An Act Relative to the Observance Each Year of the Contribution to the Success of the American Revolution of Peter Francisco", should take

effect forthwith and that it is an emergency law, and that facts constituting the emergency are as follows:

The delayed operation of this legislation would make it impossible to issue the Proclamation this year for the proper observance of March 15 in recognition of the services of Peter Francisco during the American Revolution. Therefore, it is necessary that the legislation referred to above should take effect forthwith.

Very truly yours,

CHRISTIAN A. HERTER,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, February 17, 1954.

I, Edward J. Cronin, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at two o'clock and forty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and twenty-four of the acts of nineteen hundred and fifty-four.

EDWARD J. CRONIN,
Secretary of the Commonwealth.

AN ACT AUTHORIZING THE CITY OF WORCESTER TO USE A CERTAIN PORTION OF INSTITUTE PARK FOR THE PURPOSES OF A FIRE STATION AND TRAINING GROUND. Chap.125

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester is hereby authorized to use, for the purpose of constructing thereon and maintaining a fire station and training ground, that certain part of Institute Park consisting of land located on the westerly side of Grove street between the water gate of the Worcester public works department, Bureau of Sewers, on Grove street and the land now of J. B. Lowell, Inc. at 173 Grove street, and extending westerly to the shore of Salisbury Pond, being a portion of the land more particularly described in a deed from the Worcester Art Museum to the City of Worcester dated December 28, 1911, and recorded with Worcester District Registry of Deeds book 1982, page 265; provided, that the consent thereto of the Worcester Parks and Recreation Commission and the Worcester Art Museum is obtained as provided for in said deed.

SECTION 2. This act shall take full effect upon its acceptance during the current year by the city council and by the parks and recreation commission of the city of Worcester, but not otherwise.

Approved February 16, 1954.

Chap. 126 AN ACT AUTHORIZING THE DEPOSIT OF CERTAIN FUNDS OF THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS IN CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 34, § 23, etc., amended.

SECTION 1. Paragraph (b) of subdivision (2) of section 23 of chapter 32 of the General Laws is hereby amended by striking out clause (iii), as appearing in section 1 of chapter 658 of the acts of 1945, and inserting in place thereof the following clause: —

(iii) In paid-up shares and accounts of and in co-operative banks.

G. L. (Ter. Ed.), 34, § 23, etc., amended.

SECTION 2. Section 23 of chapter 34 of the General Laws, as most recently amended by section 2 of chapter 162 of the acts of 1950, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — Unless otherwise provided by the donor, any money so received or the proceeds of any such gift shall be placed at interest in savings banks or savings departments of trust companies incorporated under the laws of the commonwealth, or in savings departments of national banks, or shall be deposited on paid-up shares and accounts of and in co-operative banks, or shall be used to purchase share accounts of federal savings and loan associations located in the commonwealth, or invested in securities which are legal investments for savings banks.

Deposit of certain public funds in co-operative banks, authorized.

G. L. (Ter. Ed.), 90, § 34D, etc., amended.

SECTION 3. Section 34D of chapter 90 of the General Laws is hereby amended by striking out the last sentence, as amended by section 3 of said chapter 162, and inserting in place thereof the following sentence: — The state treasurer shall deposit any cash received under the provisions of this section in a savings bank or the savings department of a trust company or of a national bank within the commonwealth, or on paid-up shares and accounts of and in co-operative banks, or shall use such cash to purchase share accounts in federal savings and loan associations located in the commonwealth.

Same subject.

G. L. (Ter. Ed.), 121, § 8A, etc., amended.

SECTION 4. Chapter 121 of the General Laws is hereby amended by striking out section 8A, as most recently amended by section 4 of said chapter 162, and inserting in place thereof the following section: — *Section 8A.* The commissioner may receive funds in trust for the use of illegitimate children or other persons under the care or supervision of the department. The commissioner shall deposit such funds in savings banks in the commonwealth or savings departments of trust companies therein, or on paid-up shares and accounts of and in co-operative banks, or may use said funds to purchase share accounts of federal savings and loan associations located in the commonwealth and, when necessary, make expenditures from said funds for the benefit of or on behalf of the ward.

Deposit of certain trust funds in co-operative banks, authorized.

SECTION 5. Chapter 122 of the General Laws is hereby amended by striking out section 2B, as most recently amended by section 5 of said chapter 162, and inserting in place thereof the following section: — *Section 2B.* The superintendent of the Tewksbury state hospital and infirmary may deposit in any bank or trust company within the commonwealth or on paid-up shares and accounts of and in co-operative banks, funds belonging to patients and funds deposited by their relatives or friends to be used for their benefit or may use said funds to purchase share accounts of a federal savings and loan association located in the commonwealth, in an account entitled "Patients' Funds", or the superintendent may, whenever he deems it desirable, deposit such funds in such banks in separate accounts as trustee, or use said funds to purchase share accounts of a federal savings and loan association located in the commonwealth, as trustee, in each instance, for the patient.

G. L. (Ter. Ed.), 122, § 2B, etc., amended.

Deposit of certain funds by superintendent of Tewksbury state hospital.

SECTION 6. Chapter 123 of the General Laws is hereby amended by striking out section 39, as most recently amended by section 6 of said chapter 162, and inserting in place thereof the following section: — *Section 39.* The superintendent of each state hospital may deposit in any bank or trust company within the commonwealth, or on paid-up shares and accounts of and in co-operative banks, funds belonging to patients and funds deposited by their relatives or friends to be used for their benefit, or may use said funds to purchase share accounts of a federal savings and loan association located in the commonwealth in an account entitled "Patients' Funds". The commissioner may deposit in any such bank or trust company or on paid-up shares and accounts of and in co-operative banks in an account entitled "Patients' Funds", funds belonging to patients, funds deposited by their relatives or friends, and funds earned by patients who are committed to the department or are under its supervision, or may purchase with said funds share accounts of a federal savings and loan association located in the commonwealth, in an account entitled "Patients' Funds", to be used for the benefit of said patients under regulations prescribed by the department.

G. L. (Ter. Ed.), 123, § 39, etc., amended.

Deposit of certain funds by superintendents of state hospitals.

Approved February 17, 1954.

AN ACT RESTRICTING THE NUMBER OF TIMES THE NAME OF A CANDIDATE MAY APPEAR ON OFFICIAL BALLOTS FOR A PARTICULAR OFFICE. Chap. 127

Be it enacted, etc., as follows:

Section 41 of chapter 54 of the General Laws is hereby amended by striking out the last sentence, as amended by chapter 1 of the acts of 1953, and inserting in place thereof the following sentence: — The name of any person shall not be printed on the official ballot or on ballot labels more than once as a candidate for the same office nor more than once for any office wherein a full term and a partial term running concurrently are to be filled. *Approved February 17, 1954.*

G. L. (Ter. Ed.), 54, § 41, etc., amended.

Number of times name may appear on official ballots, restricted.

**Chap.128 AN ACT FURTHER REGULATING THE OBSERVANCE OF CERTAIN
LEGAL HOLIDAYS.**

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 4, § 7,
etc., amended.

SECTION 1. Clause Eighteenth of section 7 of chapter 4 of the General Laws, as most recently amended by chapter 241 of the acts of 1948, is hereby further amended by adding at the end the following paragraph: —

Observance of
certain legal
holidays.

Whenever February twenty-second, April nineteenth, May thirtieth, October twelfth or November eleventh, hereinbefore defined as legal holidays, falls on a day other than a Monday, the legal holiday for such date shall be observed on the Monday nearest to said enumerated date. The first Monday of September, hereinbefore defined as a legal holiday, shall be observed on the first Monday of September, whenever the first Monday of September shall be not earlier than September fifth; otherwise said holiday shall be observed on the second Monday of September.

Conditions
required to
have act
effective.

SECTION 2. This act shall become effective on January first, nineteen hundred and fifty-seven; provided, that, on or before October first, nineteen hundred and fifty-six, not less than thirty-one of the other states of the United States of America shall have provided by legislation or otherwise for observance of Washington's Birthday and Memorial Day on the same days as provided herein.

Approved February 17, 1954.

**Chap.129 AN ACT AUTHORIZING THE CITY OF FALL RIVER TO PAY A
SUM OF MONEY TO ARMAND LUSSIER.**

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Fall River is hereby authorized to appropriate and pay to Armand Lussier of said city a sum of money, not to exceed five hundred dollars, to compensate him for a personal injury sustained by him on September first, nineteen hundred and fifty-three while performing his duties as an unpaid member of the Watuppa Water Board.

SECTION 2. This act shall take full effect upon its passage.

Approved February 23, 1954.

**Chap.130 AN ACT FURTHER EXTENDING THE TIME DURING WHICH
THE YOUTH SERVICE BOARD MAY MAINTAIN A PLACE OF
CUSTODY IN THE CITY OF BOSTON.**

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately extend the time during which the youth service board may maintain a place of custody in the city of Boston, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 542 of the acts of 1948 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 422 of the acts of 1952, and inserting in place thereof the following section: — *Section 1.* Upon its organization the youth service board established by section sixty-five of chapter six of the General Laws, hereinafter called the board, shall forthwith establish in the city of Boston for use during the limited period hereinafter specified, one or more places of custody which shall be completely separate from any lockup, police station or house of detention in said city, which shall be used solely for the temporary care, custody and study, under sections sixty-six, sixty-seven and sixty-eight of chapter one hundred and nineteen of the General Laws, of delinquent and wayward children between the time of their arrest or taking into custody and the final disposition of their case, and shall be maintained by the board until the board has developed a program for the care, custody and study of such children between the time of their arrest or taking into custody and the final disposition of their case; but in no event shall said place or places of custody be maintained longer than July first, nineteen hundred and fifty-five.

SECTION 2. Said chapter 542 is hereby further amended by striking out section 2, as most recently amended by section 2 of said chapter 422, and inserting in place thereof the following section: — *Section 2.* For establishing and maintaining a place or places of custody under this act, the board may expend such sums as may be appropriated therefor. Not later than October first in each of the years nineteen hundred and fifty-two, nineteen hundred and fifty-three, nineteen hundred and fifty-four and nineteen hundred and fifty-five, the board shall certify to the state treasurer the total amount expended by it under this act during the preceding fiscal year. One half of such amount shall be assessed on the city of Boston as provided by section twenty of chapter fifty-nine of the General Laws.

Approved February 23, 1954.

AN ACT RELATIVE TO THE USE OF PLAYGROUNDS AND RECREATION CENTERS. *Chap.131*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make its provisions relative to the use of playgrounds and recreation centers effective without delay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter 45 of the General Laws is hereby amended by striking out section 18, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 18.* This chapter shall not be construed to

G. L. (Ter.
Ed.), 45, § 18,
amended.

Use of play-
grounds, etc.

prohibit the use of any playgrounds or recreation centers by adults or children of special age groups at the discretion of the body having the grounds or premises in charge.

Approved February 23, 1954.

Chap.132 AN ACT TO PERMIT THE PLAYING OF BASEBALL GAMES BEYOND THE HOUR OF SIX THIRTY POST MERIDIAN ON THE LORD'S DAY UNDER CERTAIN CIRCUMSTANCES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which, in part, is to permit, for the current baseball season, as well as in the future, the playing of baseball games during certain additional hours on the Lord's day; therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 136 of the General Laws is hereby amended by striking out section 21, as most recently amended by chapter 32 of the acts of 1951, and inserting in place thereof the following section: — *Section 21.* In any city which accepts sections twenty-one to twenty-five, inclusive, by vote of its city council, or in any town which accepts said sections by vote of its inhabitants, it shall be lawful on the Lord's day to take part in or witness any athletic outdoor sport or game, as hereinafter provided, between the hours of one thirty and six thirty post meridian and, in the case of a baseball game commenced before the hour of six thirty post meridian, for such further time beyond said hour as may be necessary to complete said game; provided, that said game had been scheduled to commence at or before the hour of three post meridian, or is the second of two successive games to be played on the same day, the first of which had been scheduled to commence at or before the hour of two post meridian. In any such city or town it shall be lawful on the Lord's day to take part in or witness, as hereinafter provided, any indoor hockey or basketball game between the hours of one thirty post meridian and twelve midnight.

Approved February 23, 1954.

Chap.133 AN ACT AUTHORIZING THE TOWN OF ANDOVER TO PAY A SUM OF MONEY TO HENRY L. HILTON AND TO GEORGE C. WILLIAMS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Andover is hereby authorized to appropriate the sum of three hundred and forty-two dollars and to pay the same to Henry L. Hilton, deputy chief of the fire department of said town, which sum of money is due him under the provisions of section twenty-four of chapter seven hundred and eight of the acts of nineteen

G. L. (Ter.
Ed.), 136,
§ 21, etc.,
amended.

Playing of
baseball
games during
certain addi-
tional hours
on Sundays,
permitted.

hundred and forty-one, as most recently amended by chapter two hundred and three of the acts of nineteen hundred and forty-seven, and said town is hereby further authorized to appropriate the sum of three hundred and thirty-three dollars and to pay the same to George C. Williams, a member of said fire department, which sum of money is due him under the provisions of said section twenty-four of said chapter seven hundred and eight, as so amended.

SECTION 2. This act shall take effect upon its passage.

Approved February 23, 1954.

AN ACT RELATIVE TO THE LICENSING OF MOTELS.

Chap.134

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 27 of chapter 140 of the General Laws, as most recently amended by section 1 of chapter 326 of the acts of 1950, is hereby further amended by inserting after the word "cabin", in line 5, the following: — , motel.

G. L. (Ter. Ed.), 140, § 27, etc., amended.

SECTION 2. Said chapter 140 is hereby further amended by striking out the caption preceding section 32A, as amended by section 2 of said chapter 326, and inserting in place thereof the following caption: — RECREATIONAL CAMPS, OVERNIGHT CAMPS OR CABINS, MOTELS AND TRAILER COACH PARKS.

G. L. (Ter. Ed.), 140, § 32A, new caption inserted.

SECTION 3. Section 32A of said chapter 140, as amended by section 3 of said chapter 326, is hereby further amended by inserting after the word "cabin", in line 3, the following: — , motel.

G. L. (Ter. Ed.), 140, § 32A, etc., amended.

SECTION 4. The first sentence of section 32B of said chapter 140, as appearing in section 4 of said chapter 326, is hereby amended by inserting after the word "cabins", in line 5, the following: — , motels.

G. L. (Ter. Ed.), 140, § 32B, etc., amended.

SECTION 5. Section 32C of said chapter 140, as amended by section 5 of said chapter 326, is hereby further amended by inserting after the word "camps", in line 2, the following: — , motels; and by inserting after the word "camp", in line 4, the following: — , motel.

G. L. (Ter. Ed.), 140, § 32C, etc., amended.

SECTION 6. Section 32D of said chapter 140, as amended by section 6 of said chapter 326, is hereby further amended by inserting after the word "camp", in line 2 and in line 4, in each instance, the following: — , motel.

G. L. (Ter. Ed.), 140, § 32D, etc., amended.

SECTION 7. Section 32E of said chapter 140, as amended by section 7 of said chapter 326, is hereby further amended by inserting after the word "camp", in line 2, the following: — , motel.

G. L. (Ter. Ed.), 140, § 32E, etc., amended.

Approved February 23, 1954.

AN ACT RELATIVE TO DEPOSITS OF THE STATE TREASURER.

Chap.135

Be it enacted, etc., as follows:

Chapter 29 of the General Laws is hereby amended by striking out section 34, as most recently amended by chapter 223 of the acts of 1953, and inserting in place thereof the

G. L. (Ter. Ed.), 29, § 34, etc., amended.

Deposits of
the state
treasurer,
regulated.

following section:— *Section 34.* The state treasurer may deposit any portion of the public moneys in his possession in such national banks, or trust companies, or banking companies, lawfully doing business in the commonwealth, as shall be approved at least once in three months by the governor and council; but the amount deposited in any one bank or trust company or banking company shall not at any time exceed forty per cent of its paid up capital and surplus; provided, that said limit may be exceeded for the purpose of the temporary deposit for not more than fifteen days of receipts from tax collections in a bank or trust company or banking company located on the same premises as the office of the collection section of the department of corporations and taxation. For the purpose of paying the principal or interest due on any bond, note or other obligation of the commonwealth, which is payable in the city of New York, he may keep on deposit in any national bank or trust company in said city, approved for the purpose by the governor and council, a sum not exceeding in the aggregate twenty-five thousand dollars; provided, that for a period of two weeks prior to the date of any such payment or payments, said amount may be increased by a sum or sums sufficient to cover the same. A state treasurer who knowingly makes any deposit in violation of the foregoing provisions shall be deemed guilty of misconduct and maladministration in his office within the meaning of the constitution; and any bank or trust company or banking company knowingly receiving any deposit in violation thereof shall be disqualified from receiving said moneys for the period of three years from the date of said deposit. All interest received on any deposits under this section shall be paid to the commonwealth.

Approved February 23, 1954.

Chap.136 AN ACT RELATIVE TO THE ELIGIBILITY OF MEMBERS OF RESERVE POLICE AND RESERVE FIRE FORCES WHO REFUSE TO ACCEPT REGULAR APPOINTMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section 20A of chapter 31 of the General Laws, as amended by section 1 of chapter 255 of the acts of 1953, is hereby further amended by inserting after the word "refuses", in line 22, and after the word "accept", in line 27, in each instance, the word:— permanent,— so as to read as follows:— *Section 20A.* In each city and town subject to section twenty in which there has been established a reserve police force or a reserve fire force, appointments to the regular police force or the regular fire force shall be made by the appointing authority upon certification by the director from the list of members of the reserve police force or the reserve fire force, as the case may be, in accordance with the rules of the commission, except that the basis of certification shall be the order of appointment to such reserve force, or, if not ascertainable, the order of the

G. L. (Ter.
Ed.), 31,
§ 20A, etc.,
amended.

Effect of 1
refusal to
accept regular
appointments
to police and
fire forces.

respective ratings of such members obtained in the examination upon which the list of eligibles for appointment to such reserve force was based. No request of a member of the reserve police force or the reserve fire force that he be not certified in any instance shall be granted by the director. No person who has passed his fiftieth birthday shall be appointed from such a reserve force to such a regular force. No member of a reserve police force who, after June first, nineteen hundred and fifty-two, and no member of a reserve fire force who, after June first, nineteen hundred and fifty-three, having been duly certified, three times refuses permanent appointment to the regular force, shall be eligible for further certification. Notwithstanding the provisions of sections forty-three and forty-five or any other law, members of such a reserve force, except those members serving in the military or naval service at the time of civil service certification, refusing to accept permanent appointment to the regular force on the occasion of three separate certifications after said June first shall thereupon cease to be a member of the reserve police force or the reserve fire force, as the case may be. The appointing officer shall forward to the director a notification of the termination of the service of such reserve officer or fire fighter, setting forth the occasion of each refusal and the date upon which the services of such officer or fire fighter ceased.

SECTION 2. Section 20C of said chapter 31, as amended by section 2 of chapter 167 of the acts of 1952, is hereby further amended by inserting after the word "refuses", in line 20, and after the word "accept", in line 24, in each instance, the word: — permanent, — so as to read as follows: — *Section 20C.* In each city and town having police officers subject to this chapter and classified as intermittent police officers, appointments to the regular force shall be made by the appointing authority upon certification by the director from the list of members of the police force of such city or town classified, in accordance with the rules of the commission, as members of the special or substitute police force of such city or town, except that the basis of certification shall be the order of appointment as such intermittent police officers, or, if not ascertainable, the order of the respective ratings of such intermittent police officers obtained in the examination upon which the list of eligibles for appointment as such officers was based, and no request of a member of the intermittent police force that he be not certified in any instance shall be granted by the director. No intermittent police officer who has passed his fiftieth birthday shall be appointed under this section to the regular police force of such city or town, and no such intermittent police officer who, after June first, nineteen hundred and fifty-two, having been duly certified, three times refuses permanent appointment to the regular force shall be eligible for further certification. Notwithstanding the provisions of sections forty-three and forty-five or any other law,

G. L. (Ter. Ed.), 31, § 20C, etc., amended.

Refusal by intermittent police officer to accept permanent appointment, effect of.

members of an intermittent force refusing to accept permanent appointment to the regular force on the occasion of three separate certifications after said June first shall thereupon cease to be a member of the intermittent police force. The appointing officer shall forward to the director a notification of termination of the service of such intermittent officer setting forth the occasion of each refusal and the date upon which the services of such officer ceased.

Approved February 23, 1954.

Chap.137 AN ACT REQUIRING CAUSES OF DEATH TO BE PRINTED OR TYPED ON CERTIFICATES OF DEATH.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 46, § 9, etc., amended.

Statements on death certificates to be printed.

Section 9 of chapter 46 of the General Laws, as most recently amended by chapter 113 of the acts of 1945, is hereby further amended by inserting after the first sentence the following sentence:— The cause, or causes, of death shall be printed or typed on all certificates required to be furnished under this section. *Approved February 23, 1954.*

Chap.138 AN ACT AUTHORIZING THE TOWN OF ACTON TO PERMIT THE USE BY THE NAGOG REGIONAL SCHOOL DISTRICT OF THE BLANCHARD AUDITORIUM IN SAID TOWN.

Be it enacted, etc., as follows:

The town of Acton is authorized to permit the use by the Nagog Regional School District of The Blanchard Auditorium in said Acton under a lease or license for a period not exceeding twenty years and from year to year thereafter until the expiration of such period of notice of termination and upon such terms and conditions and subject to such provisions for operation and management, either by such town or any board, officer, committee or department thereof or by such regional school district as said town of Acton and said Nagog Regional School District may agree.

Approved February 23, 1954.

Chap.139 AN ACT RELATIVE TO THE RENEWAL OF LICENSES AND PERMITS IN CERTAIN CITIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 41, new § 13B, added. Renewal of licenses and permits in certain cities.

Chapter 41 of the General Laws is hereby amended by inserting after section 13A the following section:— *Section 13B.* In a city in which the board of aldermen or city council is the licensing authority such board or council may delegate from time to time to the city clerk of such city, subject to such conditions and limitations as it may impose, the powers vested in such board or council to renew licenses or permits authorized to be renewed under the provisions of chapter one hundred and forty, or of any other general or special law.

Approved February 23, 1954.

AN ACT PROVIDING FOR THE NOMINATION OF MEMBERS OF THE CITY COUNCIL AND THE SCHOOL COMMITTEE OF THE CITY OF REVERE BY PRELIMINARY ELECTIONS, AND PROVIDING FOR THEIR ELECTION BY ORDINARY PLURALITY VOTING. Chap.140

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one A of chapter six hundred and sixty-one of the acts of nineteen hundred and forty-nine, so much of the provisions of sections ninety-three to one hundred and sixteen, inclusive, of chapter forty-three of the General Laws as provided for the election by proportional representation of members of the city council and the school committee of the city of Revere, are hereby repealed.

SECTION 2. Notwithstanding any provision of said chapter forty-three to the contrary, nominations of candidates for election to the city council and the school committee of the city of Revere shall be made at preliminary elections under the provisions of sections forty-four A to forty-four G of said chapter forty-three, which sections are hereby made applicable in said city, and the candidates nominated at such preliminary elections shall be candidates for election at the next regular municipal election therein by ordinary plurality voting.

SECTION 3. This act shall be submitted to the registered voters of the city of Revere at the next regular municipal election in the form of the following question which shall be placed upon the official ballot to be used at said election: — "Shall an act passed by the general court in the year nineteen hundred and fifty-four, entitled 'An Act providing for the nomination of members of the city council and the school committee of the city of Revere by preliminary elections, and providing for their election by ordinary plurality voting', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise. *Approved February 23, 1954.*

AN ACT AUTHORIZING THE BOARD OF SELECTMEN TO APPOINT THE INSPECTORS OF PLUMBING IN THE TOWN OF LEXINGTON. Chap.141

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections eleven and twelve of chapter one hundred and forty-two of the General Laws relative to the appointment of inspectors of plumbing, inspectors of plumbing in the town of Lexington shall be appointed by the board of selectmen and said board may remove them subject to chapter thirty-one of the General Laws and shall fix their compensation, which shall be paid by the town. Said inspectors of plumbing shall inspect all plumbing in process of construction, alteration or repair for which permits are granted within the town and shall

report to the building inspector of the town violations of any law, by-law, rule or regulation relative to plumbing and shall perform such other appropriate duties as may be required.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the town meeting members of said town present and voting thereon at a regular or special town meeting called for the purpose, but not otherwise.

Approved February 23, 1954.

Chap.142 AN ACT AMENDING THE CHARTER OF THE CITY OF MELROSE
RELATIVE TO REPORTS OF SANITARY CONDITIONS AND
SAFETY OF SCHOOLHOUSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 162 of the acts of 1899 is hereby amended by striking out section 35 and inserting in place thereof the following section: — *Section 35.* The person designated by the mayor, under authority of section six of chapter one hundred and forty-three of the General Laws, to have charge of the inspection of buildings shall on or before the first day of January and the first day of September of each year submit in writing to the school committee a report of the sanitary condition of all the schoolhouses, and shall certify as to their safety for school purposes.

SECTION 2. This act shall take full effect upon its acceptance by the board of aldermen of said city, subject to the provisions of its charter, but not otherwise.

Approved February 23, 1954.

Chap.143 AN ACT RELATIVE TO CERTAIN ASSESSMENTS FOR BETTER-
MENTS IN THE TOWN OF RANDOLPH.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections one and two of chapter eighty, and section twenty-seven of chapter eighty-three of the General Laws, assessments for betterments may be validly made by the town of Randolph on all construction for betterments which were completed during the calendar years nineteen hundred and fifty-one, nineteen hundred and fifty-two and nineteen hundred and fifty-three.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the town meeting members of said town present and voting thereon at a regular or special town meeting, but not otherwise.

Approved February 23, 1954.

AN ACT PROVIDING THAT VACANCIES IN THE FINANCE COMMITTEE IN THE TOWN OF SAUGUS SHALL BE FILLED BY THE MODERATOR. Chap.144

Be it enacted, etc., as follows:

SECTION 1. Chapter 17 of the acts of 1947 is hereby amended by striking out section 37 and inserting in place thereof the following section: — *Section 37. Appointments to fill vacancies.* — The moderator shall fill any vacancy in said committee, and upon doing so shall notify the secretary of the committee and the town clerk of his action in writing. The term of office of any person so chosen to fill a vacancy shall expire at the final adjournment of the next succeeding annual town meeting, and the moderator shall appoint a successor to complete the unexpired term of the member in whose office such vacancy originally occurred.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the town meeting members of said town present and voting thereon at a town meeting, but not otherwise. *Approved February 23, 1954.*

AN ACT PENALIZING THE FRAUDULENT OPERATION OF TURNSTILES AND OTHER RECEPTACLES OF TOKENS AND THE MANUFACTURE AND SALE OF DEVICES INTENDED TO BE USED IN SUCH OPERATION. Chap.145

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by striking out sections 75A and 75B, inserted by chapter 11 of the acts of 1932, and inserting in place thereof the following two sections: — *Section 75A.* Whoever operates or causes to be operated, or attempts to operate or to cause to be operated, any automatic vending machine, slot machine, turnstile, coin-box telephone or other receptacle designed to receive lawful coin of the United States or tokens provided by the person entitled to the coin-contents or token-contents of such receptacle in connection with the sale, use or enjoyment of property, transportation or other service, by means of a slug or any false, counterfeited, mutilated or sweated coin or token or by any means, method, trick or device whatsoever not lawfully authorized by the owner, lessee or licensee of such machine, turnstile, coin-box telephone or receptacle; or whoever takes, obtains or receives from or in connection with any automatic vending machine, slot machine, turnstile, coin-box telephone or other receptacle designed to receive lawful coin of the United States or tokens provided by the person entitled to the coin-contents or token-contents of such receptacle in connection with the sale, use of or enjoyment of property or service, any goods, wares, merchandise, transportation, gas, electric current, article of value, or the use or enjoyment of any transportation or any telephone or telegraph facilities or service, or of any

G. L. (Ter. Ed.), 266, §§ 75A, 75B, amended.

Penalty for fraudulent operation of turnstiles, coin-box receptacles, etc.

musical instrument, phonograph or other property, without depositing in and surrendering to such machine, turnstile, coin-box telephone or other receptacle lawful coin or a token or tokens to the amount or value required therefor by the owner, lessee or licensee of such machine, turnstile, coin-box telephone or receptacle, shall be punished by a fine of not more than one hundred dollars or by imprisonment in the house of correction for not more than thirty days, or both. The word "person" as used in this section shall include any municipal corporation or political subdivision of the commonwealth.

Penalty for manufacture and sale of slugs, devices, etc., intended for fraudulent operation.

Section 75B. Whoever manufactures for sale, advertises for sale, sells, offers for sale, or gives away any slug, device or substance whatsoever, designed or calculated to be placed or deposited in any automatic vending machine, slot machine, turnstile, coin-box telephone or other such receptacle, depository or contrivance, designed to receive lawful coin of the United States or tokens provided by the person entitled to the coin-contents or token-contents of such receptacle, depository or contrivance in connection with the sale, use or enjoyment of property or service, with the intent that such slug, device or substance shall be used to cheat or defraud the person entitled to the contents of any such machine, turnstile, coin-box telephone or other such receptacle, depository or contrivance, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the house of correction for not more than one year, or both. The word "person" as used in this section shall include any municipal corporation or political subdivision of the commonwealth.

Approved February 23, 1954.

The word "person", to include.

Chap.146 AN ACT PROVIDING THAT ELECTIVE TOWN OFFICERS IN THE TOWN OF MILTON MAY BE ELECTED TO THE BOARD OF WATER COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 307 of the acts of 1902 is hereby amended by striking out section 11 and inserting in place thereof the following section:— *Section 11.* The powers and duties conferred and imposed upon the town of Milton by this act, including the purchase or taking of any lands or other property or rights, shall be exercised by a board of water commissioners, consisting of three residents of the town. The town, after its acceptance of this act at a legal meeting called for the purpose, shall elect by ballot three persons to constitute said board of water commissioners. They shall hold office one until the expiration of three years, one until the expiration of two years and one until the expiration of one year from the next succeeding annual town meeting, and at each annual town meeting thereafter one such commissioner shall be elected by ballot for a term of three years. All such commissioners, except in case of removal, shall hold office until their successors are elected, and

vacancies occurring during the term may be filled for the remainder of the term by vote of the town at a meeting duly called for that purpose. Any commissioner, after due notice and hearing, may be removed at any time by a majority vote of the town for any cause which shall be deemed sufficient and which shall be expressed in the vote of removal. The commissioners shall receive such compensation for their services as the town shall determine.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the town meeting members of said town present and voting thereon at a regular or special town meeting called for the purpose, but not otherwise.

Approved February 23, 1954.

AN ACT AUTHORIZING THE TOWN OF MILTON TO SELL CERTAIN LAND IN EAST MILTON ACQUIRED FOR PLAYGROUND PURPOSES.

Chap.147

Be it enacted, etc., as follows:

SECTION 1. The town of Milton may sell at public auction or private sale and convey the whole or any part or parts of a certain parcel of real estate in that town which was acquired for playground purposes and is no longer needed for public use, and shall use the proceeds of such sale for the purposes stated in section sixty-three of chapter forty-four of the General Laws. Said parcel is shown as the parcel containing seven and nine hundred ninety-four one-thousandths acres on a plan entitled "Plan of East Milton Playground Proposed to be Conveyed to Private Ownership, November, 1953, Alexander E. Manning, Town Engineer", and bounded and described as follows: Beginning at a point in the northeasterly side line of Adams street at land of the Roman Catholic Archbishop of Boston; thence running northwesterly by said Adams street forty and thirty-six one-hundredths feet to a point; thence running northeasterly three hundred five and seventy-six one-hundredths feet to a point; thence running northerly forty-seven and fifty one-hundredths feet to a point; thence running northerly, northwesterly and westerly on a curved line, having a radius of thirty feet, forty-seven and twelve one-hundredths feet to a point; thence running westerly eleven and eighty-two one-hundredths feet to a point; thence running northwesterly three hundred ninety-six and twenty-four one-hundredths feet to a point in the southeasterly side line of Squantum street; thence running northeasterly by said Squantum street two hundred eleven feet to a point; thence running northeasterly by said Squantum street on a curved line, having a radius of five hundred sixty-eight and ninety-six one-hundredths feet, one hundred forty-four and thirty-two one-hundredths feet to a point, thence running northeasterly by said Squantum street two hundred twenty-one and eleven one-hundredths feet to the southwesterly side line of the location of the New York, New Haven and Hartford Railroad

Company; thence running southeasterly by said railroad location six hundred twenty-four and fifty-nine one-hundredths feet to a point; thence running southwesterly one hundred eighty-two and fifty-eight one-hundredths feet to a point; thence running northwesterly eight feet to a point; thence running southwesterly ninety feet to a point; thence running southeasterly on an extension northwesterly of the northeasterly side line of St. Agatha road eight feet to a point; thence running southwesterly by the northwesterly limit of said St. Agatha road forty and four one-hundredths feet to a point at the southwesterly side line of said St. Agatha road; thence running southwesterly twenty-seven and fifty-one one-hundredths feet to land of the Roman Catholic Archbishop of Boston, thence running northwesterly by said land of the Roman Catholic Archbishop of Boston two hundred seventy-two and seventy-three one-hundredths feet to a point; thence running southwesterly by said land of the Roman Catholic Archbishop of Boston four hundred three feet to the point of beginning at said Adams street.

SECTION 2. The town of Milton may sell at public auction or private sale and convey the whole or any part or parts of a certain parcel of real estate in that town which was acquired for park purposes and is no longer needed for public use, and shall use the proceeds of such sale for the purposes stated in section sixty-three of chapter forty-four of the General Laws. Said parcel is shown as the parcel containing one thousand five square feet on a plan entitled "Plan Showing Land Owned by the Town of Milton Dated December, 1953, Alexander E. Manning, Town Engineer", and bounded and described as follows:— Beginning at a point marked by a stone bound sixty-four and $16/100$ feet east of a stone bound on the east side line of Adams street and running southeasterly one hundred twenty-seven and $6/10$ feet by land of the Town of Milton; thence running northwesterly eighty-three and $47/100$ feet by land of Russell H. and Frederick L. King; thence running northerly forty-eight and $18/100$ feet by land of Russell H. and Frederick L. King to the point of beginning.

SECTION 3. Any sale or conveyance carried out under the authority of this act shall be subject to easements of the town of Milton for sewer, drain and all other purposes.

SECTION 4. This act shall take full effect upon its acceptance by a majority of the town meeting members of said town present and voting thereon at a regular or special town meeting called for the purpose, but not otherwise.

Approved February 23, 1954.

AN ACT ESTABLISHING A GYPSY MOTH CONTROL PROGRAM. *Chap.148*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to institute forthwith a program for the prevention of the spread of the gypsy moth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of natural resources, hereinafter in this act called the commissioner, is hereby authorized and directed, with the approval of the board of natural resources, to institute a comprehensive program of gypsy and brown tail moth control within the commonwealth. The commissioner shall designate regions wherein serious infestation from said insect pest has been found. Such regions may consist of a town or city or a group of towns or a group of towns and cities and may include such areas as are determined by the commissioner to be so infested or so located as to require such control measures to prevent further spread of the gypsy moth. The commissioner shall cause notice to be given to each town or city in the region, as established by him, by notifying the mayor or the board of selectmen in writing that in his opinion such infestation requires emergency action by the department to prevent the spread of said insect pests and that the commonwealth is to proceed with a control program to be financed jointly by the commonwealth and the cities and towns within the specified region. If the mayor or selectmen desire a hearing on the matter of such determination, they shall notify the commissioner within ten days after the receipt of the notice. The commissioner shall grant a hearing on such requests within thirty days after receipt of such request, and, following such hearing, the decision of the commissioner shall be final. The cost of such control program including the interest on any notes issued under section five shall be apportioned thirty per cent to the commonwealth and seventy per cent to the cities and towns in the region, or regions, established hereunder. The portion of the cost, as determined by the commissioner, of such work allocated to the cities and towns within any such region shall be assessed in accordance with the provisions of section sixteen of chapter one hundred and thirty-two of the General Laws; provided, that no such assessment in any calendar year shall exceed fifty per centum of the maximum required to be expended in said section sixteen. The commissioner shall notify the state tax commissioner on or before January first of each year, of the estimated liability to be apportioned to each city or town in any such region, and, on or before October fifteenth of each year, the commissioner shall certify to the state treasurer the amount to be collected and paid to the state treasurer, as provided by section twenty of chapter fifty-nine of the General Laws; provided, how-

ever, that on or before April first of the current year, the commissioner shall notify the state tax commissioner of the estimated liability to be apportioned to each city or town in any such region for the year nineteen hundred and fifty-four. For the purpose of this section the commissioner and the chief moth superintendent shall have the powers granted to them by applicable provisions of chapter one hundred and thirty-two of the General Laws.

SECTION 2. To provide a comprehensive program to prevent the spread of the gypsy moth, the department of natural resources is authorized to expend, in addition to any sums appropriated therefor, the sum of one million, five hundred and seventy-five thousand dollars, to be assessed to cities and towns subject to the provisions of section one of this act, and subject to other provisions of law regulating the disbursement of public funds and the approval thereof; provided, that any expenditures thereof be made for a period ending not later than June thirtieth, nineteen hundred and fifty-seven; and provided, further, that the total amount to be expended in any one fiscal year shall not exceed seven hundred and fifty thousand dollars.

SECTION 3. The wording in item 1001-31 of section 2 of chapter 489 of the acts of 1953 is hereby amended by inserting after the word "beetles", in line 3, the words: — , under any general or special law, — so as to read as follows: —

1001-31 For the suppression of insect pests and shade tree diseases, including gypsy and brown tail moths and Japanese beetles, under any general or special law, and including not more than seven permanent positions, and for reimbursement to cities and towns of a proportion of their expenses for such work, as provided by law and to be in addition to any amounts heretofore appropriated for the purpose

SECTION 4. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon the request of the governor and council, borrow on the credit of the commonwealth from time to time such sums of money as may be required in anticipation of the receipt from cities and towns of their cost of the program, but not to exceed, in the aggregate, the sum of one million five hundred and seventy-five thousand dollars, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rate as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section three of Article LXII of the Amendments to the Constitution of the commonwealth, but the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and fifty-nine. Notwithstanding

any provision of this act, such notes shall be general obligations of the commonwealth.

SECTION 5. Chapter six hundred and twenty-two of the acts of nineteen hundred and fifty-two is hereby repealed.

Approved February 24, 1954.

AN ACT RELATING TO APPROPRIATIONS BY CITIES AND TOWNS
FOR CELEBRATING CERTAIN DAYS OR OCCASIONS.

Chap. 149

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable cities and towns to make the appropriations authorized thereby without delay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section 5 of chapter 40 of the General Laws is hereby amended by inserting after clause (45), inserted by section 2 of chapter 576 of the acts of 1953, the following clause: —

G. L. (Ter.
Ed.), 40, § 5,
etc., amended.

(46) For the celebration of Labor Day and for the proper observance and celebration of the Christmas season by the decoration and illumination of public buildings and public streets, and for the purchase, installation and decoration of Christmas trees upon municipal lands.

Certain ap-
propriations
by cities and
towns,
authorized.

Approved February 24, 1954.

AN ACT TO AUTHORIZE THE WHEELWRIGHT SCIENTIFIC
SCHOOL TO HOLD ADDITIONAL REAL AND PERSONAL ES-
TATE.

Chap. 150

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 23 of the acts of 1882, as amended by section 1 of chapter 89 of the acts of 1898, is hereby further amended by striking out, in lines 8 and 9, the words "eight hundred thousand" and inserting in place thereof the words: — one million, — so as to read as follows: — *Section 2.* The said corporation shall have authority to receive, hold and manage the fund bequeathed for the purposes for which the said corporation is created by the will of William Wheelwright, late of Newburyport, deceased, and any other donations or bequests which may be made for its benefit, and may hold for the purposes aforesaid real and personal estate to an amount not exceeding one million dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 24, 1954.

Chap.151 AN ACT DESIGNATING THE BRIDGE ON GROVE STREET ON ROUTE 8 IN THE TOWN OF ADAMS AS THE WALTER BEDNARZ AND STERLING BURNETTE BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The bridge on Grove street on route 8 in the town of Adams shall be known and designated as the Walter Bednarz and Sterling Burnette Bridge, and a suitable tablet bearing said designation shall be attached to said bridge by the state department of public works.

SECTION 2. This act shall take effect upon its passage.

Approved February 24, 1954.

Chap.152 AN ACT PROVIDING FOR THE RESTORATION OF ELECTION BY PROPORTIONAL REPRESENTATION OF MEMBERS OF THE CITY COUNCIL AND SCHOOL COMMITTEE OF CERTAIN PLAN E CITIES.

Be it enacted, etc., as follows:

SECTION 1. Any city having a Plan E form of city charter which has accepted the provisions of chapter six hundred and sixty-one of the acts of nineteen hundred and forty-nine, shall, notwithstanding such acceptance, elect by proportional representation, the members of the city council and the school committee in the manner provided by sections ninety-three to one hundred and sixteen, inclusive, of chapter forty-three of the General Laws, as in effect immediately prior to the effective date of said chapter six hundred and sixty-one, upon acceptance of this act in the manner hereinafter provided.

SECTION 2. Upon petition of ten per cent of the registered voters of said city filed with the city clerk or election commissioners not later than sixty days before a regular city election, this act shall be submitted for acceptance to the registered voters of said city at said regular city election in the form of the following question, which shall be placed on the official ballot to be used in said city at such election: — "Shall an act passed by the general court in the year nineteen hundred and fifty-four entitled 'An act providing for the restoration of election by proportional representation of members of the city council and school committee of certain Plan E cities' be accepted?"

The petition shall be submitted to the registrars of voters for the certification of the names thereon not later than five o'clock post meridian of the seventh day preceding the day on which it must be filed with the city clerk.

If this act is not accepted at said election, it shall be again submitted for acceptance to the registered voters of said city at a regular city election held not less than four years after the election at which this act was submitted to the voters and was not accepted by them; provided, that a

petition for such submission has been filed with the city clerk or election commissioners in the manner aforesaid.

SECTION 3. This act shall take effect upon its passage.

SECTION 4. This act shall not apply to the city of Quincy.

Approved February 24, 1954.

AN ACT ESTABLISHING THE DATE UPON WHICH BUILDINGS AND STRUCTURES, EXCEPT THE STATE HOUSE, OWNED OR OCCUPIED BY THE COMMONWEALTH OR ANY OF ITS POLITICAL SUBDIVISIONS SHALL COMPLY WITH CERTAIN PROVISIONS OF THE LAW RELATING TO THE SAFETY OF PERSONS IN BUILDINGS. Chap.153

Be it enacted, etc., as follows:

Chapter 582 of the acts of 1948 is hereby amended by striking out section 3, and inserting in place thereof the following section: — *Section 3.* This act shall take effect on July first, nineteen hundred and fifty-seven.

Approved February 24, 1954.

AN ACT AUTHORIZING THE CITY OF QUINCY TO LEASE CERTAIN PORTIONS OF THE PROPERTY ACQUIRED BY IT FROM THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY. Chap.154

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy is hereby authorized to lease to private interests, for a term not to exceed fifty years, such portions of the property acquired by it from the New York, New Haven and Hartford Railroad Company as are not deemed necessary for public use and occupancy.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved February 24, 1954.

AN ACT TO PROVIDE FOR JUDICIAL REVIEW OF PROCEEDINGS OF BOARDS OF APPEAL UNDER CERTAIN PROVISIONS OF LAW RELATING TO CITY CHARTERS. Chap.155

Be it enacted, etc., as follows:

Chapter 43 of the General Laws is hereby amended by striking out section 9, as most recently amended by section 5 of chapter 459 of the acts of 1948, and inserting in place thereof the following section: — *Section 9.* Within seventy days after the petition has been filed with him by the petitioners the city clerk shall, except as provided in section ten, transmit a certified copy thereof to the city council, except that the signatures upon the petition need not be copied but in place thereof the city clerk shall state the number of signatures of registered voters thereon, certified as such by the registrars of voters. If any question arises as to the validity or sufficiency of the petition or of the signatures thereon, any registered voter of the city may appeal for a determination

G. L. (Ter. Ed.), 43, § 9, etc., amended.

Judicial review of proceedings of boards of appeal in certain cases.

of said question to the applicable board referred to in section twelve of chapter fifty-three, by filing a notice of such appeal with the city council and with the clerk of the board of registrars of voters within eighty days after the date the petition was filed with the city clerk by the petitioners, and the board so appealed to shall within thirty days render a decision thereon. The board shall submit notice of its decision forthwith to the city council.

Any person aggrieved by the decision of the board under this section may appeal to the superior court sitting in equity, for the county in which the city is located; provided, that such appeal is filed in said court within ten days after such decision is rendered. It shall hear all pertinent evidence and determine the facts and, upon the facts as so determined, annul such decision if found to be erroneous in law or not warranted by the evidence, or make such other decree as justice and equity may require. The foregoing remedy shall be exclusive, but the parties shall have all rights of appeal and exception as in other equity cases.

Costs.

No costs shall be allowed against the board unless the court finds that it acted with gross negligence or in bad faith.

Question to
be placed on
official ballot.

Within ten days after the expiration of said period of eighty days, if no appeal has been taken, or after receipt of a decision on any appeal in favor of the validity or sufficiency of such petition or signatures, as the case may be, the city council shall, unless the number of valid signatures certified to it is found to be less than the number required by section seven, transmit such certified copy to the city clerk. If said certified copy is so transmitted to the city clerk at least thirty days before the regular city election, the question proposed by the petition shall be submitted upon the official ballot to a vote of the registered voters of the city at said regular city election, otherwise it shall be submitted at the regular city election next following the aforesaid election.

Approved February 24, 1954.

Chap. 156 AN ACT ESTABLISHING THE POSITION OF ASSISTANT TO THE STENOGRAPHER IN THE EXECUTIVE DEPARTMENT.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 6, § 6,
amended.

Chapter 6 of the General Laws is hereby amended by striking out section 6, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 6.* The governor, with the advice and consent of the council, may appoint an executive secretary, a stenographer, an assistant to the stenographer and a messenger, each of whom shall hold office during the pleasure of the governor and council, shall perform the duties required of him by the governor or by the governor and council, and shall receive such salary as may be fixed by the governor and council, not exceeding the sum annually appropriated therefor by the general court.

Assistant to the
stenographer in
the executive
department,
authorized.

Approved February 24, 1954.

AN ACT RELATIVE TO THE AUTHORITY OF CITIES AND TOWNS *Chap.157*
TO REGULATE PLUMBING.

Be it enacted, etc., as follows:

Section 13 of chapter 142 of the General Laws, as amended by chapter 284 of the acts of 1934, is hereby further amended by striking out, in line 7, the word "waste".

G. L. (Ter. Ed.), 142, § 13, etc., amended.

Approved February 24, 1954.

AN ACT EXEMPTING CERTAIN CHURCHES AND SYNAGOGUES *Chap.158*
FROM PAYMENT OF THE FEES FOR LICENSES FOR THE USE
OF CERTAIN HALLS.

Be it enacted, etc., as follows:

Section 34 of chapter 143 of the General Laws, as most recently amended by section 4 of chapter 541 of the acts of 1952, is hereby further amended by inserting after the word "issued", in line 6, the words: — ; provided, that no fee shall be required of any duly established church or synagogue in connection with the use of a hall owned by it and used for religious or charitable purposes.

G. L. (Ter. Ed.), 143, § 34, etc., amended.

Exemption from certain fees.

Approved February 24, 1954.

AN ACT DESIGNATING THE NORTHEAST EXPRESSWAY IN THE *Chap.159*
CITY OF CHELSEA AS THE FATHER CYPRIAN ADAMSKI ME-
MORIAL HIGHWAY.

Be it enacted, etc., as follows:

So much of the Northeast Expressway as is located in the city of Chelsea shall upon its completion be designated and known as the Father Cyprian Adamski Memorial Highway and suitable tablets and markers bearing said designation shall be erected thereon in appropriate places by the department of public works. *Approved February 24, 1954.*

AN ACT AUTHORIZING THE CITY OF FALL RIVER TO SELL *Chap.160*
AND CONVEY A PORTION OF MAPLEWOOD PARK TO THE
ROMAN CATHOLIC BISHOP OF FALL RIVER.

Be it enacted, etc., as follows:

SECTION 1. The city of Fall River, by its proper authorities, is hereby authorized to sell and convey to the Roman Catholic Bishop of Fall River, a corporation sole, the following described portion of Maplewood Park, located in said city, namely, a certain parcel of land situated on Chicago street and shown on a plan of land entitled "Plan of Maplewood Park" dated January 22, 1954, bounded and described as follows: Southerly by Chicago street 265 feet; easterly by land now or formerly of Harry M. Wood and Eleanor B. Bliss 300.01 feet; northerly by other land of said Maplewood Park 238.46 feet; westerly by other land

of said Maplewood Park 164.30 feet; northerly again by other land of said Maplewood Park 381.41 feet; westerly again by Stafford road 9.39 feet; southerly again by land of the Roman Catholic Bishop of Fall River 352.96 feet and westerly again by said land of the Roman Catholic Bishop of Fall River 127.64 feet.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter.

Approved February 24, 1954.

Chap.161 AN ACT RELATIVE TO THE APPORTIONMENT OF COSTS OF SEWERAGE AND SEWAGE DISPOSAL IN THE TOWN OF MANCHESTER.

Be it enacted, etc., as follows:

Section 6 of chapter 373 of the acts of 1912 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The town of Manchester shall from time to time by vote determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay.

Approved February 24, 1954.

Chap.162 AN ACT AUTHORIZING POLICE OFFICERS TO CARRY WEAPONS WHEN OFF DUTY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 41, § 98, amended.

SECTION 1. Section 98 of chapter 41 of the General Laws is hereby amended by striking out the third sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence: — They may carry within the commonwealth such weapons as the mayor or selectmen, the city or town manager, shall determine.

Carrying of weapons by police officers, regulated.

G. L. (Ter. Ed.), 92, § 61, amended.

SECTION 2. Section 61 of chapter 92 of the General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The police appointed or employed by the commission, except special women police officers, shall have within the metropolitan parks district, and within the towns outside said district wherein any of the property of the metropolitan water and sewerage districts is situated, all the powers of police officers and constables of towns of this commonwealth, except the power of serving and executing civil process, and may carry within the commonwealth such weapons as the said commission shall authorize.

Same subject.

Approved February 24, 1954.

AN ACT RELATIVE TO THE TIME OF HOLDING CAUCUSES OF
POLITICAL PARTIES IN THE TOWN OF WATERTOWN. *Chap.163*

Be it enacted, etc., as follows:

The provisions of section ninety-one of chapter fifty-three of the General Laws to the contrary notwithstanding, caucuses of political parties in the town of Watertown shall be held on the same day.

The town clerk shall fix the day for the holding of such caucuses not later than the thirty-first day preceding the election, and the call for the same shall be issued by the chairman and secretary of the respective political parties.

Approved February 24, 1954.

AN ACT AUTHORIZING THE CITY OF BOSTON TO CONSTRUCT
A MUNICIPAL AUDITORIUM IN SAID CITY. *Chap.164*

Be it enacted, etc., as follows:

SECTION 1. The city of Boston is hereby authorized and empowered to construct, operate and maintain at a convenient location in said city a municipal auditorium with an exhibition hall, assembly hall and accessory rooms suitable for exhibitions, conventions and other shows and gatherings in said city.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council of the city of Boston.

Approved February 24, 1954.

AN ACT AUTHORIZING THE TOWN OF STOUGHTON TO ACCEPT
IN DEFERRED OR INSTALLMENT PAYMENTS WITH INTEREST
THE COST OF CERTAIN SEWER CONNECTIONS MADE IN SAID
TOWN. *Chap.165*

Be it enacted, etc., as follows:

SECTION 1. The town of Stoughton, acting through its board of selectmen, may, upon the written request of the owner of land in said town, construct a particular sewer or connecting drain from a common sewer or main drain to a house or building on such land. The expenses of such construction shall be paid out of any appropriation made therefor by the town.

SECTION 2. The entire cost of constructing any particular sewer or connecting drain hereunder shall be assessed by said board upon the estate benefited thereby, and the provisions of sections six and seven of chapter eighty-six of the acts of nineteen hundred and eleven, not inconsistent herewith, shall apply in such case to the same extent as if such construction had been done within the limits of a public way and assessments therefor had been authorized by said chapter.

SECTION 3. Section 6 of chapter 86 of the acts of 1911, as amended by section 1 of chapter 283 of the acts of 1938,

is hereby further amended by striking out the next to the last sentence and inserting in place thereof the following sentence: — For the purpose of fixing the amount of such assessments the said board shall determine the value of the special benefit to each of said estates, respectively, from the said system or systems of sewers, taking into account all the circumstances of the case; and the proportionate part to be paid by the owners of said estates, respectively, shall be based upon the amount of the special benefit to each estate, determined as aforesaid; and every such owner shall, within three months after written notice of such assessment, served on him or on the occupant of his estate, or sent by mail to the last address of such owner known to said board of sewer commissioners, pay the sum so assessed to the collector of taxes of said town; provided, that said board may, and on the written request of any such owner made within the said three months shall, apportion such assessment into ten equal parts or assessments; and said board shall certify such apportionment to the assessors of the town, and one of said parts or installments, with interest, from the date of commitment to the collector to the date when interest on taxes becomes due and payable, at five per cent per annum, on the unpaid balance, shall be added by the assessors to the annual tax on such estate for each year next ensuing, until all of said parts have so been added, unless sooner paid as hereinafter provided; and provided, further, that nothing herein contained shall be construed to prevent the payment at any time in one payment, notwithstanding its prior apportionment, of any balance of said assessments then remaining unpaid, but interest on such balance at the rate of five per cent per annum shall be paid to the date of such payment, and thereupon the collector of taxes of said town shall receive the same and shall certify such payment or payments to the assessors who shall preserve a record thereof.

SECTION 4. This act shall take effect upon its passage.

Approved March 1, 1954.

Chap. 166 AN ACT AUTHORIZING THE TOWN OF DENNIS TO INCREASE ITS CONTRIBUTION TOWARD THE COST OF MAINTAINING A FREE PUBLIC LIBRARY IN THE TOWN OF HARWICH.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 264 of the acts of 1935 is hereby amended by striking out, in line 2, the words "five hundred" and inserting in place thereof the words: — one thousand, — so as to read as follows: — *Section 1.* The town of Dennis may annually appropriate a sum of money not exceeding one thousand dollars and pay the same to the treasurer of The Chase Library Association, which maintains a free public library in the town of Harwich, as a contribution by said town of Dennis toward the cost of

maintaining said library; provided, that the inhabitants of the town of Dennis have free use of said library.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1954.

AN ACT RELATIVE TO THE TIME OF LEASING ALEWIFE FISHERIES. Chap.167

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to protect the private rights of persons and to regulate the leasing of alewife fisheries under the laws relating to marine fish and fisheries without delay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by striking out section 96, as appearing in section 1 of chapter 598 of the acts of 1941, and inserting in place thereof the following section: — *Section 96.* Sections ninety-three, ninety-four and ninety-five shall not impair the private rights of any person under any law passed before April twenty-fifth, eighteen hundred and sixty-six, or under any contract existing on said date, or authorize a town to enter upon or build canals or sluiceways into a pond which is private property. Whenever in section ninety-three or section ninety-four authority is granted to lease alewife fisheries, such leasing shall be made at public auction, held in such city or town, each of such fisheries to be leased separately, and no such lease shall authorize the operation of any fishery thereunder subsequent to June fifteenth in any year. Notices of any auction hereunder shall be published and posted as provided by law for notices of town meetings, and every such lease shall terminate on June fifteenth.

G. L. (Ter.
Ed.), 130,
§ 96, etc.,
amended.

Leasing of
alewife
fisheries,
regulated.

Approved March 1, 1954.

AN ACT AUTHORIZING THE CITY OF BOSTON TO CONSTRUCT A MUNICIPAL BUILDING AT FRANKLIN FIELD CONSISTING OF A GYMNASIUM, SWIMMING POOL, AUDITORIUM AND OTHER ROOMS APPROPRIATE FOR PUBLIC GATHERINGS. Chap.168

Be it enacted, etc., as follows:

SECTION 1. The city of Boston is hereby authorized to construct a municipal building at Franklin Field in said city, to consist of a gymnasium, swimming pool, auditorium and other rooms appropriate for public gatherings.

SECTION 2. For said purpose, said city may borrow, from time to time, such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds therefor, which shall bear on their face the words, City of Boston Franklin Field Municipal Building Loan, Act of 1954. Each authorized issue shall constitute a separate

loan and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under authority of this act shall be in excess of the statutory limit, but shall be subject to the applicable provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 3. This act shall take effect upon its passage.

Approved March 1, 1954.

Chap. 169 AN ACT AUTHORIZING THE TOWN OF MASHPEE TO SELL AND CONVEY A PORTION OF CERTAIN LAND HELD BY IT FOR PARK PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Subject to the approval of the Mashpee Advisory Commission, the town of Mashpee, by its board of selectmen, may sell and convey to Mashpee Post No. 262, American Legion, for a nominal sum, and under such terms and conditions as it may impose, free and clear from any obligations to use the same for park purposes, a certain parcel of land situate in said town, and more particularly bounded and described as follows: — Beginning at a point at the southwesterly corner of land now owned by the town of Mashpee, (being Parcel No. 1, so called, on a "Plan of Land in Mashpee — Barnstable — Massachusetts, belonging to the Town of Mashpee" by Charles N. Savery, C. E., dated December 1951 and revised March 1953.) the said point being 40 feet northerly of a point standing in the northerly line of the land of Hotel Attaquin Inc.; thence northerly $29^{\circ} 20' 10''$ east, a distance of 150 feet to a point; then southerly $60^{\circ} 39' 50''$ east, a distance of 100 feet to a point; thence southerly $29^{\circ} 20' 10''$ west, a distance of 150 feet to a point; thence northerly $60^{\circ} 39' 50''$ west, a distance of 100 feet, to a place of beginning; the said Parcel No. 1 comprising approximately 0.34 acres.

In addition, a right of way beginning at a C. B. standing in the easterly line of Lake Avenue and the northerly line of land of Nina L. Wynn, (as shown on a "Plan of Land in Mashpee — Barnstable — Massachusetts, belonging to the Town of Mashpee" by Charles N. Savery, C. E., dated December 1951 and revised March 1953) thence easterly along the said northerly line of the land of the said Nina L. Wynn, a distance of 293.67 feet to a C. B., thence continuing easterly along the northerly line of the land of Hotel Attaquin Inc. and the northerly line of the land of Etta F. Tobey, a distance of 289.37 feet; thence northerly and making an angle of 90° on the left with the said northerly line of the land of Etta F. Tobey a distance of 40 feet to a point marking the southeasterly corner of Parcel 1; thence westerly and along the southerly line of said Parcel 1 a distance of 100 feet to a point marking the southwesterly corner of Parcel 1; thence westerly parallel to and 40 feet northerly of the northerly line of the land of Hotel

Attaquin Inc. and the northerly line of the land of Nina L. Wynn, to a point in the extension of the said easterly line of Lake Avenue. The above grant of land and right of way is made, provided that said American Legion Post shall erect a building thereon suitable for its purposes.

SECTION 2. In the event that said land and right of way is not used on or before the first day of July, nineteen hundred and fifty-seven, for the purpose for which it was conveyed, then title to all of said land and right of way shall revert to and be vested in the town of Mashpee. If on said date said land and right of way is so used, but at any time thereafter the said land and right of way or any part of said land and right of way shall cease to be used for said purpose, the title to all of said land and right of way shall thereupon revert to the town of Mashpee.

SECTION 3. This act shall take effect upon its passage.

Approved March 1, 1954.

AN ACT CHANGING THE NAME OF THE LAWRENCE MUNICIPAL HOSPITAL AND INFIRMARY. Chap.170

Be it enacted, etc., as follows:

SECTION 1. Section 38 of Part II of chapter 621 of the acts of 1911, as amended by section 1 of chapter 335 of the acts of 1953, is hereby further amended by striking out, in line 18, the words "Lawrence municipal" and inserting in place thereof the words: — Bessie M. Burke Memorial.

SECTION 2. Section 39A of Part II of said chapter 621, inserted by section 2 of said chapter 335, is hereby amended by striking out, in line 2, the words "Lawrence municipal" and inserting in place thereof the words: — Bessie M. Burke Memorial.

SECTION 3. Section 39B of Part II of said chapter 621, as so inserted, is hereby amended by striking out, in line 8, the word "administrator" and inserting in place thereof the word: — superintendent.

SECTION 4. This act shall take effect upon its passage.

Approved March 1, 1954.

AN ACT AUTHORIZING THE TOWN OF WEST SPRINGFIELD TO PERMIT ROBERT R. LEWIS TO BECOME A MEMBER OF ITS RETIREMENT SYSTEM. Chap.171

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of general or special law to the contrary, Robert R. Lewis, a permanent employee of the water department of the town of West Springfield, shall be permitted to pay into the retirement system of said town within sixty days after the effective date of this act, the amount which he would have been required to pay if he had applied for and been accepted in said retirement system on December thirty-first, nineteen

hundred and fifty-two. Upon receipt of such payment, the retirement board of said town shall accord him full membership in said system in accordance with the provisions of sections one to twenty-eight, inclusive, of chapter thirty-two of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1954.

Chap.172 AN ACT RELATIVE TO THE APPOINTMENT OF COURT OFFICERS IN BRISTOL COUNTY AND PROVIDING UNIFORMS FOR SAID OFFICERS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 221, § 70, amended.

SECTION 1. Section 70 of chapter 221 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "Suffolk", in line 1, the word: — , Bristol, — and by inserting after the second paragraph the following paragraph: —

Court officers in Bristol county.

For Bristol, two for civil and criminal business, who shall, when required by the sheriff, attend the sessions of supreme judicial or probate court when not in attendance on the superior court.

G. L. (Ter. Ed.), 221, § 77, etc., amended.

SECTION 2. Section 77 of said chapter 221, as amended by chapter 120 of the acts of 1951, is hereby further amended by inserting after the word "in", the second time it appears in line 3, the word: — Bristol,.

G. L. (Ter. Ed.), 221, § 80, etc., amended.

SECTION 3. Section 80 of said chapter 221, as amended by section 4 of chapter 182 of the acts of 1935, is hereby further amended by inserting after the word "Middlesex", in lines 3 and 7, in each instance, the word: — , Bristol.

Approved March 1, 1954.

Chap.173 AN ACT AUTHORIZING THE MEMORIAL HOSPITAL TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

The Memorial Hospital, incorporated by chapter eighty-seven of the acts of eighteen hundred and seventy-one, as amended, is hereby authorized to hold, for the purposes for which it is incorporated, real and personal estate to an amount not exceeding fifteen million dollars in value, including the amount which it is already authorized by law to hold.

Approved March 1, 1954.

Chap.174 AN ACT DEFINING "OCCUPATION" UNDER THE MINIMUM WAGE LAW.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 151, § 2, etc., amended.

Section 2 of chapter 151 of the General Laws is hereby amended by striking out the paragraph defining "Occupation", as amended by section 3 of chapter 558 of the

acts of 1952, and inserting in place thereof the following paragraph:—

“Occupation”, an industry, trade or business or branch thereof or class of work therein, whether operated for profit or otherwise, and any other class of work in which persons are gainfully employed, but shall not include domestic service in the home of the employer, labor on a farm, the growing and harvesting of agricultural, floricultural and horticultural commodities, work by persons being rehabilitated or trained under rehabilitation or training programs in charitable, educational or religious institutions, or work by members of religious orders. Occupation shall also not include outside sales work regularly performed by outside salesmen who regularly sell a product or products away from their employer’s place of business and who do not make daily reports or visits to the office or plant of their employer.

“Occupation”,
under the
minimum
wage law,
defined.

Approved March 1, 1954.

AN ACT RELATIVE TO EXPENDITURES OF MONEY BY THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY.

Chap.175

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Barnstable county may, for the purpose of advertising the recreational advantages of said county, expend such sums, not exceeding, in the aggregate, fifty thousand dollars in any one year, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than double the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid. Said commissioners shall expend such sums only for advertising in newspapers, magazines and the like, or for booklets, posters or other forms of advertising, or for information booths within the county, or for displays or booths maintained at fairs or expositions outside the county for the purpose of advertising such advantages. In carrying out the provisions of this act the commissioners may designate an agent or agents to act for them; provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

SECTION 2. The state secretary shall cause to be placed on the official ballot to be used in the towns in Barnstable county at the biennial state election in the year nineteen hundred and fifty-four the following question:— “Shall an act passed by the General Court in the year nineteen hundred and fifty-four, entitled, ‘An Act relative to expenditures of money by the county commissioners of Barnstable county for the purpose of promoting the recreational advantages of

said county', be accepted?" If a majority of the votes cast in said county in answer to said question is in the affirmative, sections one and three of this act shall thereupon take full effect, but not otherwise.

SECTION 3. Chapter one hundred and sixty-nine of the acts of nineteen hundred and thirty-eight is hereby repealed.

Approved March 1, 1954.

Chap.176 AN ACT RELATIVE TO THE INVESTMENTS OF DOMESTIC INSURANCE COMPANIES IN LOANS UPON MORTGAGES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 65, etc., amended.

Loans by insurance companies upon mortgages, regulated.

Chapter 175 of the General Laws is hereby amended by striking out section 65, as most recently amended by chapter 41 of the acts of 1947, and inserting in place thereof the following section:—*Section 65.* No domestic company shall, except in effecting the sale of real estate owned by it, and then only with the approval of the commissioner, invest any of its funds in loans upon mortgages except upon the conditions expressed in paragraph 7 or paragraph 7A of section sixty-three; provided, that any such company may make and acquire such loans as are insured under the provisions of the National Housing Act or of any act in amendment thereof or in addition thereto; provided, further, that any loans heretofore or hereafter so made or acquired, or any loans heretofore or hereafter made or acquired which are guaranteed or insured under the Servicemen's Readjustment Act of 1944 or any amendment thereof, shall qualify as an investment for all purposes of section sixty-three.

Approved March 1, 1954.

Chap.177 AN ACT REQUIRING CERTAIN PERSONS LICENSED TO CONDUCT BOXING OR SPARRING MATCHES TO PROVIDE INSURANCE FOR THE CONTESTANTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 147, new § 39B, added.

Insurance for contestants in boxing matches, etc., required.

Chapter 147 of the General Laws is hereby amended by inserting after section 39A, inserted by chapter 232 of the acts of 1948, the following section:—*Section 39B.* Any person licensed under section thirty-two to conduct boxing or sparring matches or exhibitions, except those persons to whom a special license may be granted thereunder without the requirement of a bond or of payment of the annual fee, shall take out a policy of accident insurance on each contestant participating in such match or exhibition in the amount of one thousand dollars to compensate him for medical and hospital expenses incurred as the result of injuries received in such match or exhibition; and in the amount of twenty-five hundred dollars in the event of death to said contestant resulting from participation in such match or exhibition, said twenty-five hundred dollars to be paid to

the estate of the deceased contestant. The premiums on said policies shall be paid by the licensee.

Approved March 1, 1954.

AN ACT AUTHORIZING THE CAMBRIDGE POLICE MUTUAL AID ASSOCIATION TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE. Chap.178

Be it enacted, etc., as follows:

SECTION 1. Chapter 246 of the acts of 1884 is hereby amended by striking out section 2 and inserting in place thereof the following section:— *Section 2.* Said corporation for the purposes aforesaid shall have power to receive grants, devises, bequests and donations, and may hold real and personal estate not exceeding two hundred thousand dollars in value.

SECTION 2. This act shall take effect upon its passage.

Approved March 2, 1954.

AN ACT AUTHORIZING CREDIT UNIONS TO INVEST AND DEPOSIT MONEY IN CO-OPERATIVE BANKS. Chap.179

Be it enacted, etc., as follows:

SECTION 1. Section 21 of chapter 171 of the General Laws, as most recently amended by chapter 210 of the acts of 1953, is hereby further amended by striking out, in lines 17 and 18, the words "the shares of" and inserting in place thereof the words: — paid up shares and accounts of and in, — so as to read as follows:— *Section 21.* The capital, deposits and surplus of a credit union shall be invested in loans to members, with approval of the credit committee, as provided in section twenty-two, and also when so required herein, of the board of directors; and any capital, deposits or surplus funds in excess of the amount for which loans shall be approved by the credit committee and the board of directors may be deposited in savings banks or trust companies or banking companies which are members of the Federal Deposit Insurance Corporation, incorporated under the laws of this commonwealth, or in national banks located therein, or invested in any bonds, notes, bankers' acceptances or bank stocks which are at the time of their purchase legal investments for savings banks in this commonwealth, or, to the extent authorized by section three of chapter two hundred and sixteen of the acts of nineteen hundred and thirty-two, in the shares of Central Credit Union Fund, Inc., or in paid up shares and accounts of and in co-operative banks incorporated in this commonwealth, or in the shares of savings and loan associations incorporated in the commonwealth, or in shares of federal savings and loan associations having a usual place of business within the commonwealth to an amount not to exceed ten thousand dollars in any one of such associations, but not more than five per cent of the

G. L. (Ter. Ed.), 171, § 21, etc., amended.

Investments and deposits by credit unions in co-operative banks, authorized.

assets of a credit union shall be invested in bank stocks; provided, that not more than fifteen thousand dollars shall be invested in the stock of any one bank. At least five per cent of the total assets of a credit union shall be carried as cash on hand or as balances due from banks and trust companies or banking companies which are members of the Federal Deposit Insurance Corporation, or invested in the bonds or notes of the United States, or of any state, or subdivision thereof, which are legal investments for savings banks as above provided, or in the shares of Central Credit Union Fund, Inc.; provided, that such bonds, notes or shares are the absolute property and under the control of such credit union. Whenever the aforesaid ratio falls below five per cent, no further loans shall be made until the ratio as herein provided has been re-established. Investments, other than personal loans, shall be made only with the approval of the board of directors. Subject to such approval and to the approval of the commissioner, a credit union may invest a sum not exceeding its guaranty fund and other surplus accounts in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of its business.

G. L. (Ter. Ed.), 171, § 29, etc., amended.

SECTION 2. The second paragraph of section 29 of said chapter 171, as amended by section 7 of chapter 162 of the acts of 1950, is hereby further amended by inserting after the word "banks", in line 7, the words: —, or on paid up shares and accounts of and in co-operative banks, — so as to read as follows: —

Deposit of certain funds of credit unions in co-operative banks, authorized.

Funds representing unclaimed dividends in liquidation and remaining in the hands of the liquidating committee for six months after the date of the final dividend, shall be deposited by them, together with all books and papers of the credit union, with the commissioner. Such funds shall be deposited in one or more trust companies, savings banks or national banks, or on paid up shares and accounts of and in co-operative banks, or be used to purchase share accounts of a federal savings and loan association located in the commonwealth to the credit of the commissioner in his official capacity in trust for the members of the liquidating credit union entitled thereto, according to their several interests. Upon receipt of evidence satisfactory to him, the commissioner may pay over the money so held by him to the persons respectively entitled thereto.

Approved March 2, 1954.

Chap. 180 AN ACT EXTENDING DAYLIGHT SAVING TIME TO THE LAST SUNDAY OF OCTOBER OF EACH YEAR.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 4, § 10, amended.

Section 10 of chapter 4 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 4 and 9, the word "September" and inserting in place thereof, in each instance, the word: — October, — so

that the first sentence will read as follows: — At two o'clock ante-meridian of the last Sunday in April of each year, the standard time in this commonwealth shall be advanced one hour, and at two o'clock ante-meridian of the last Sunday in October of each year the standard time in this commonwealth shall, by the retarding of one hour, be made to coincide with the mean astronomical time of the degree of longitude governing the zone wherein the commonwealth is situated the standard official time of which is described as United States standard eastern time, so that between the last Sunday of April at two o'clock ante-meridian and the last Sunday in October at two o'clock ante-meridian in each year the standard time in this commonwealth shall be one hour in advance of the United States standard eastern time.

Daylight
saving time,
extended.

Approved March 2, 1954.

AN ACT PROVIDING THAT CERTAIN BOND PREMIUMS PAID BY A PLAINTIFF MAY BE RECOVERED AS COSTS IN CIVIL ACTIONS. Chap.181

Be it enacted, etc., as follows:

Section 45A of chapter 223 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — Any premium paid by the plaintiff to a surety company on a bond given as security under this section may, in the discretion of the court, be taxed as costs if he prevails in the action in which the attachment is made.

G. L. (Ter.
Ed.), 223,
§ 45A,
amended.
Costs in
civil actions.

Approved March 2, 1954.

AN ACT AUTHORIZING THE BOARD OF PARK COMMISSIONERS OF THE CITY OF CHELSEA TO TAKE OVER THE POWERS AND DUTIES OF THE CHELSEA STADIUM COMMISSION AND OF THE TRUSTEES OF THE GARDEN CEMETERY. Chap.182

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the board of park commissioners of the city of Chelsea shall have and exercise all the rights, powers and duties now or from time to time vested by general or special law or by ordinance of said city in the Chelsea Stadium Commission and in the trustees of the Garden cemetery, and said stadium commission and the offices of trustees of the Garden cemetery are hereby abolished. No contracts or liabilities in effect on the effective date of this act shall be affected by such abolition, but the board of park commissioners shall in all respects be the lawful successor of the commission or offices so abolished.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Chelsea, subject to the provisions of its charter, but not otherwise.

Approved March 2, 1954.

Chap.183 AN ACT RELATIVE TO THE NUMBER OF SIGNATURES REQUIRED FOR NOMINATION AT STATE PRIMARIES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make the number of signatures provided thereby effective for nominations to be made in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 53, § 44,
etc., amended.

Number of
signatures for
nomination
at state
primaries,
required.

SECTION 1. Section 44 of chapter 53 of the General Laws, as most recently amended by section 5 of chapter 406 of the acts of 1953, is hereby further amended by striking out the last sentence and inserting in place thereof the following two sentences: — Such papers for all other offices to be filled at a state election shall be signed by a number of voters, as follows: — for representative in congress, councillor, district attorney, clerk of courts, register of probate and insolvency, register of deeds, county commissioner, sheriff and county treasurer, two hundred and fifty voters; for state senator, fifty voters; for representative in the general court and commissioners to apportion Suffolk county, twenty-five voters. In Dukes and Nantucket counties such papers for nomination for all offices within the county to be filled at any state election shall be signed by twenty-five voters.

G. L. (Ter.
Ed.), 53, § 7,
etc., amended.

Certification
of names by
registrars.

SECTION 2. Section 7 of said chapter 53 is hereby amended by striking out the last three sentences, as appearing in section 5 of chapter 341 of the acts of 1938, and inserting in place thereof the following three sentences: — The registrars need not certify a greater number of names than are required to make a nomination, increased, in the case of a candidate for the office of state senator in a senatorial district lying wholly within one city or town, by one hundred per cent thereof, and in any other case, by one fifth thereof. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The state secretary shall not be required to receive nomination papers for a candidate after receiving such papers containing a sufficient number of certified names to make a nomination, increased by one fifth thereof except in the case of state senator.

Approved March 3, 1954.

Chap.184 AN ACT MAKING AN APPROPRIATION TO SUPPLEMENT THE PROGRAM OF VOCATIONAL REHABILITATION FOR THE FISCAL YEAR NINETEEN HUNDRED AND FIFTY-FOUR.

Be it enacted, etc., as follows:

SECTION 1. To provide for additional expenses of the program of vocational rehabilitation, the sums set forth in section two of this act are hereby appropriated from the General Fund or ordinary revenue of the commonwealth, to

Exception.

be in addition to any amounts at present available for the purposes.

SECTION 2.

1309-02 } The balance available in item 1309-02 of
1309-01 } section two of chapter four hundred and
eighty-nine of the acts of nineteen hundred
and fifty-three is hereby transferred and
made available for the purposes of item
1309-01.

1309-01 Item 1309-01 of section two of chapter four
hundred and eighty-nine of the acts of nine-
teen hundred and fifty-three is hereby
amended by striking out the words and
inserting in place thereof the following: —
For the expenses of the division of voca-
tional rehabilitation 50,000 00

SECTION 3. This act shall take effect upon its passage.

Approved March 3, 1954.

AN ACT VALIDATING THE ACTS OF THE PLANNING BOARD OF *Chap.185*
THE TOWN OF WRENTHAM.

Be it enacted, etc., as follows:

SECTION 1. The acts of the planning board of the town
of Wrentham, purporting to be established under section
seventy of chapter forty-one of the General Laws, are hereby
confirmed and made valid notwithstanding the prohibition
contained in the second paragraph of said section seventy.

SECTION 2. This act shall take effect upon its passage.

Approved March 3, 1954.

AN ACT REQUIRING THAT ALL SWORDFISH IMPORTED INTO *Chap.186*
THE COMMONWEALTH FOR SALE BE PACKED IN ICE.

Be it enacted, etc., as follows:

Section 87 of chapter 130 of the General Laws, as appear-
ing in section 1 of chapter 598 of the acts of 1941, is hereby
amended by striking out, in lines 3 and 4, the words "boxes,
crates or barrels and so iced" and inserting in place thereof
the words: — ice so, — so as to read as follows: — *Section 87.*
No person shall import, or cause to be imported into this
commonwealth for purposes of sale, any fresh swordfish
unless properly packed in ice so as to prevent the same from
becoming infected, contaminated or unwholesome.

G. L. (Ter.
Ed.), 130,
§ 87, etc.,
amended.

Importation
of swordfish,
regulated.

Approved March 3, 1954.

AN ACT RELATIVE TO THE TRANSCRIPTS OF EVIDENCE AND *Chap.187*
THE FILING OF APPEALS IN CERTAIN CRIMINAL CASES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 278 of the General Laws is hereby
amended by striking out sections 33A and 33B, as appearing
in the Tercentenary Edition, and inserting in place thereof

G. L. (Ter.
Ed.), 278,
§§ 33A, 33B,
amended.

Transcripts
of evidence
in certain
criminal cases.

the two following sections:— *Section 33A.* In any proceedings or trial upon an indictment or complaint for any felony and for any misdemeanor tried with a felony, the evidence shall be taken by an official stenographer or by a stenographer appointed by the court, and transcribed in such number of copies as the court may direct, one copy to be furnished to a defendant who has filed a claim of appeal under the provisions of section thirty-three B. The evidence transcribed shall be designated as the "Transcript of the Evidence", shall be certified by the stenographer and shall, with such corrections as are made therein by direction of the court, be regarded as a true record of the evidence. Alleged errors in the transcript of the evidence must be seasonably called to the attention of the court. Exceptions taken during the proceedings and trial shall be numbered consecutively in the transcript of the evidence. The defendant shall pay for the expense of his transcript unless the court otherwise directs.

Appeals in
such cases.

Section 33B. A defendant in a case of any felony, and any misdemeanor tried with a felony, aggrieved by an opinion, ruling, direction or judgment of the superior court, rendered upon any question of law arising out of such case or upon any interlocutory ruling or a motion for a new trial, but not upon a plea in abatement, who desires to appeal therefrom and whose exceptions thereto have been seasonably saved shall, within twenty days after verdict, file a claim of appeal in writing with the clerk, who shall forthwith notify the district attorney of such claim.

Effective
date.

SECTION 2. This act shall take effect on September first in the current year. *Approved March 3, 1954.*

Chap.188 AN ACT PROVIDING FOR SABBATICAL LEAVE FOR CERTAIN
TEACHERS AT THE BRADFORD DURFEE TECHNICAL IN-
STITUTE OF FALL RIVER.

Be it enacted, etc., as follows:

Any teacher in the Bradford Durfee technical institute of Fall River who has served as such in the aforementioned state institute for at least seven years after entering such service or, if a leave of absence has previously been granted to him hereunder, after the termination of the last such leave may upon written recommendation of the president of the institute, be granted by the commissioner of education a leave of absence, for study and research, for a period of one year at half pay or for a period of a half year at full pay for such period; provided, that prior to the granting of such leave said teacher shall enter into a written agreement with the department that upon the termination of such leave he will return to the state textile school service and serve as a teacher in the same or another of the state textile schools for a period equal to twice the length of such leave and that, in default of completing such service, he will refund to the common-

wealth, unless excused therefrom by the department for reasons satisfactory to it, an amount equal to such proportion of the salary received by him while on leave as the amount of service not actually rendered as agreed bears to the whole amount of service agreed to be rendered.

Approved March 3, 1954.

AN ACT RELATIVE TO THE COST OF BOARDING OUT OF MENTAL PATIENTS. *Chap.189*

Be it enacted, etc., as follows:

Section 16 of chapter 123 of the General Laws, as most recently amended by chapter 497 of the acts of 1951, is hereby further amended by striking out, in line 9, the word "two" and inserting in place thereof the word: — three, — so as to read as follows: — *Section 16.* The superintendent of each state hospital may place at board in a suitable family or in a place in this commonwealth or elsewhere any patient in such hospital who is in the charge of the department and is quiet and not dangerous nor committed as a dipsomaniac or inebriate, nor addicted to the intemperate use of narcotics or stimulants. The cost to the commonwealth of the board of such patients supported at the public expense shall not exceed three dollars a day for each patient. The department shall have the same authority in the case of patients directly committed to it. *Approved March 3, 1954.*

G. L. (Ter. Ed.), 123, § 16, etc., amended.

Boarding out of certain mental patients.

Cost to commonwealth limited.

AN ACT FURTHER REGULATING THE FEES PAYABLE BY APPLICANTS FOR REGISTRATION AS MASTER ELECTRICIAN OR JOURNEYMAN ELECTRICIAN. *Chap.190*

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 141 of the General Laws is hereby amended by striking out clause (3), as appearing in the Tercentenary Edition, and inserting in place thereof the following clause: —

G. L. (Ter. Ed.), 141, § 3, amended.

(3) Persons desiring an examination shall make written application therefor, accompanied by the proper fee, which shall be twenty-five dollars for "Certificate A" and five dollars for "Certificate B". For each re-examination for "Certificate A", he shall pay fifteen dollars and for "Certificate B", one dollar.

Fees.

SECTION 2. Clause (5) of said section 3 of said chapter 141, as so appearing, is hereby amended by striking out, in line 2, the words "one dollar", and inserting in place thereof the words: — two dollars, — so as to read as follows: — (5) Each "Certificate B" shall expire on July thirty-first in each year, but may be renewed upon payment of a fee of two dollars, and upon the same conditions set forth in the preceding paragraph.

G. L. (Ter. Ed.), 141, § 3, further amended.
Fees.

Approved March 3, 1954.

Chap.191 AN ACT REGULATING THE DISPOSAL OF CONTAINERS USED FOR REFRIGERATIVE PURPOSES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 271, § 46, etc., amended.

Disposal of refrigerator containers, regulated.
Penalty.

SECTION 1. Chapter 271 of the General Laws is hereby amended by striking out section 46, inserted by chapter 187 of the acts of 1953, and inserting in place thereof the following section:— *Section 46.* Whoever, having been the owner of a container originally used for refrigerative purposes, fails to remove the door or doors from the same before discarding or setting it aside for failure to use such container, unless the container may be easily opened from the inside, shall be punished by a fine of not more than one hundred dollars.

Duty of commissioner of public safety.

SECTION 2. The commissioner of public safety shall notify in writing the police authorities throughout the commonwealth of their duty to enforce the provisions of section forty-six of chapter two hundred and seventy-one of the General Laws.

Approved March 3, 1954.

Chap.192 AN ACT AUTHORIZING THE CITY OF WALTHAM TO CONNECT WITH THE SEWER NOW SERVING THE MIDDLESEX COUNTY TUBERCULOSIS HOSPITAL AND THE METROPOLITAN STATE HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The city of Waltham is hereby authorized, subject to the approval of the department of public health, to connect with the sewer now serving the Middlesex county tuberculosis hospital and the Metropolitan state hospital for the purpose of providing additional facilities for the disposal of sewage by said city.

SECTION 2. This act shall take effect upon its passage.

Approved March 4, 1954.

Chap.193 AN ACT PROVIDING FOR DOUBLE ASSESSMENT OF THE CORPORATE EXCESS TAX IN CASES OF DELINQUENT OR FRAUDULENT TAX RETURNS OF CORPORATIONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 63, § 46, amended.

Penalty for delinquent or fraudulent tax returns of corporations.

Chapter 63 of the General Laws is hereby amended by striking out section 46, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 46.* If no return, or an incorrect or insufficient return, has been filed, and the corporation so in default refuses or neglects after notice to file a proper return, or if a fraudulent return has been filed, the commissioner shall in case of a domestic corporation determine its income and its corporate excess, and in case of a foreign corporation its income and corporate excess employed by it within the commonwealth according to his best information and belief, and

shall assess the same at double the amount so determined, which additional tax shall be in addition to the other penalties provided by this chapter. *Approved March 4, 1954.*

AN ACT RELATIVE TO THE ADMISSIBILITY IN EVIDENCE OF MEDICAL REPORTS OF AN EMPLOYEE MADE FOR THE EMPLOYER OR INSURER. *Chap.194*

Be it enacted, etc., as follows:

Chapter 152 of the General Laws is hereby amended by striking out section 20A, inserted by chapter 468 of the acts of 1945, and inserting in place thereof the following section: —

Section 20A. Any employer who maintains a clinic, dispensary or hospital for the treatment of injured employees and any insurer who maintains a clinic, dispensary or hospital for the treatment of injured employees of any insured shall, upon request of any injured employee attending such a clinic, dispensary or hospital, or of his attorney, furnish such employee or his attorney, at cost, with copies of reports of all medical examinations of the injured employee made while at such clinic, dispensary or hospital, showing the history obtained, the nature of the treatment given or prescribed, the diagnosis and the prognosis. No such medical report shall upon objection by the claimant be admissible in evidence in any proceeding under this chapter, unless a copy thereof has been furnished to the claimant, or a person acting in his behalf, or to his attorney, within twenty days after a written request therefor. *Approved March 4, 1954.*

G. L. (Ter. Ed.), 152, § 20A, etc., amended.

Admissibility in evidence of certain medical reports, regulated.

AN ACT RELATIVE TO THE METHOD OF ASSESSING THE AMOUNT WHICH THE COMMONWEALTH MAY BE CALLED UPON TO PAY THE METROPOLITAN TRANSIT AUTHORITY ON ACCOUNT OF A DEFICIENCY AS OF THE LAST DAY OF DECEMBER, NINETEEN HUNDRED AND FIFTY-THREE. *Chap.195*

Be it enacted, etc., as follows:

SECTION 1. The seventh paragraph of section 13 of chapter 544 of the acts of 1947, as most recently amended by section 1 of chapter 239 of the acts of 1953, is hereby further amended by inserting after the word "fifty-two", in line 22, the words: — , or on account of a deficiency as of the last day of December, nineteen hundred and fifty-three, — so as to read as follows: —

In case the commonwealth shall be called upon to pay the authority any amount under this section on account of a deficiency existing as of the last day of December in the year nineteen hundred and forty-nine, or as of the last day of December in any year thereafter, such amount, with interest or other charges incurred in borrowing the money for the purpose, shall be assessed upon the cities and towns constituting the authority as provided by section twenty of chapter fifty-nine of the General Laws, as amended, in

proportion to the number of persons in said cities and towns using the service of the authority at the time of said payment, said proportion to be determined and reported to the state treasurer by the trustees from computations made in their discretion for the purpose; provided, that any amount which the commonwealth is called upon to pay the authority on account of a deficiency as of the last day of December, nineteen hundred and forty-nine or on account of a deficiency as of the last day of December, nineteen hundred and fifty or on account of a deficiency as of the last day of December, nineteen hundred and fifty-one, or on account of a deficiency as of the last day of December, nineteen hundred and fifty-two, or on account of a deficiency as of the last day of December, nineteen hundred and fifty-three, with interest and other charges incurred in borrowing the money for the purpose, shall be assessed upon the cities and towns constituting the authority as provided by section twenty of chapter fifty-nine of the General Laws, as amended, in proportion to the amounts paid under the last preceding assessment under section fourteen of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen.

SECTION 2. This act shall take effect upon its passage.

Approved March 9, 1954.

*Chap.*196 AN ACT RELATIVE TO THE RATES OF FARE AND CHARGES FOR SERVICE OF THE METROPOLITAN TRANSIT AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 544 of the acts of 1947, as most recently amended by section 1 of chapter 612 of the acts of 1952, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: — The trustees, subject to the approval of the department, shall from time to time fix such rates of fare and charges for service furnished or operated as in their judgment will produce as much income as is feasible considering the effect of such rates of fares and charges for service upon the use of the service furnished or operated and the economic welfare of the territory constituting the authority and considering all other factors deemed pertinent by the trustees; provided, however, that rates of fare and charges for service shall at all times be so fixed that they shall not produce in any year an income of more than two million dollars in excess of the amount necessary to meet the cost of the service in such year and the restoration of the reserve fund provided for by section thirteen to the amount originally established for such fund; and provided, further, that rates of fare and charges for service shall at all times be so fixed that they shall produce sufficient income to meet at least that portion of the cost of the service which is determined by excluding from the cost of the

service the following: — (1) payments of interest and payments in reduction of principal on the bond of the authority issued to the district under section seven A; (2) payments of interest on the bond of the authority executed and delivered to the district under paragraph (c) of section eight A and payments of all sums payable by the authority on its note executed and delivered to the district under said paragraph (c); (3) payments of interest (with credit or charge, if any, for amortization of premium, discount and expense) and payments of principal on bonds and notes of the authority issued to the district under section twenty-two; (4) payments of interest (with credit or charge, if any, for amortization of premium, discount and expense) on all bonds of the authority issued to the district under paragraph (j) of section eight A and under section six of chapter six hundred and forty-nine of the acts of nineteen hundred and forty-nine; (5) payments of rentals and other charges under leases or contracts for use of subway and rapid transit facilities owned by the commonwealth.

SECTION 2. This act shall take effect upon its passage.

Approved March 9, 1954.

AN ACT MAKING AN APPROPRIATION FOR THE EXPENSES OF THE SPECIAL COMMISSION TO STUDY COMMUNISM AND SUBVERSIVE ACTIVITIES FOR THE FISCAL YEAR NINETEEN HUNDRED AND FIFTY-FOUR. Chap.197

Be it enacted, etc., as follows:

SECTION 1. To provide for additional expenses of the special commission to study communism and subversive activities, the sum set forth in section two of this act is hereby appropriated from the General Fund or ordinary revenue of the commonwealth, to be in addition to any amount at present available for the purpose.

SECTION 2.

0298-00	For an investigation and study of communism in the commonwealth, as authorized by chapter eighty-nine of the resolves of nineteen hundred and fifty-three	18,000 00
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SECTION 3. This act shall take effect upon its passage.

Approved March 9, 1954.

AN ACT AUTHORIZING THE TOWN OF MARION TO APPROPRIATE MONEY FOR AND PURCHASE CERTAIN EXISTING WATER MAINS ON PINEY POINT IN MARION. Chap.198

Be it enacted, etc., as follows:

SECTION 1. The town of Marion is hereby authorized to acquire by purchase thirty-three hundred and eighteen feet of existing water main, consisting of six-inch transit pipe, on Piney Point in East Marion, from Piney Point Estates,

Inc., and for this purpose may appropriate the sum of eighty-five hundred and thirty-seven dollars and eighty-one cents from free cash in its treasury.

SECTION 2. This act shall take effect upon its passage.

Approved March 9, 1954.

Chap.199

Emergency
preamble.

AN ACT REVIVING CAMBRIDGE TRUCKING COMPANY.

Whereas, The deferred operation of this act would delay the corporation revived thereby in resuming the exercise of its former corporate powers, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Cambridge Trucking Company, a corporation dissolved by section one of chapter fifty-four of the acts of nineteen hundred and thirty-six, is hereby revived, with the same powers, duties and obligations as if said chapter had not been enacted into law, for a period of one hundred and eighty days from the effective date of this act. The provisions of paragraph (c) of section three of chapter one hundred and fifty-nine B of the General Laws shall not apply to said corporation with respect to its failure to render service prior to the effective date of this act. *Approved March 9, 1954.*

Chap.200 AN ACT INCREASING THE RENEWAL FEES FOR PLUMBERS' LICENSES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 142, § 5,
amended.

Fees.

Chapter 142 of the General Laws is hereby amended by striking out section 5, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 5.* The fee for the first license of a master plumber shall be fifteen dollars; for any renewal thereof eight dollars; and for an examination therefor, five dollars. The fee for the first license of a journeyman shall be five dollars; for any renewal thereof three dollars; and for an examination therefor, five dollars.

Approved March 9, 1954.

Chap.201 AN ACT RELATIVE TO FILLING A VACANCY IN THE OFFICE OF SELECTMAN.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 41, § 10,
amended.

Filling of cer-
tain vacancies
in town offices,
regulated.

Chapter 41 of the General Laws is hereby amended by striking out section 10, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 10.* If there is a failure at an election to choose a town officer, except a selectman, or if a person chosen shall not accept such office, or if a vacancy shall occur, the town may at any meeting elect a person to such office.

If, at an election of town officers for which official ballots are used, there is a failure to elect a town officer, he may be elected at an adjourned or succeeding meeting; and ballots shall be prepared and furnished for such meeting, containing the nominations already made and such as may subsequently be made for the office.

The proceedings in such election and the qualifications of a person to be elected or appointed in case of failure to elect, refusal to accept or vacancy shall be the same as in an original election.

If there is a failure to elect or a vacancy occurs in the office of selectman, the remaining selectmen or selectman may call a special election to fill the vacancy and shall call such election upon the request in writing of two hundred registered voters of the town, or twenty per cent of the total number of registered voters of the town, whichever number is the lesser; provided, that such request is filed with them or him not less than one hundred days prior to the date of the next annual election.

Approved March 9, 1954.

AN ACT PROVIDING FOR A COMPETITIVE EXAMINATION FOR
PATROLMAN IN THE POLICE DEPARTMENT OF THE TOWN
OF WESTFORD, AND ESTABLISHING A MAXIMUM AGE LIMIT
THEREFOR. Chap.202

Be it enacted, etc., as follows:

SECTION 1. The director of civil service may, upon request of the appointing authority, hold an open competitive examination for patrolman in the town of Westford within six months after the effective date of this act. Notwithstanding any provision of law relative to the maximum age limits for applicants to a police department, such examination shall be open to any person who has not passed his forty-fifth birthday.

SECTION 2. This act shall be submitted to the voters of the town of Westford at the annual town meeting to be held in the year nineteen hundred and fifty-four in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting, or shall be submitted to the voters of said town at a special town meeting called for the purpose in the form of the following question, which shall be placed upon the official ballot to be used at said special town meeting:— "Shall an act passed by the general court in the year nineteen hundred and fifty-four, entitled 'An act providing for a competitive examination for patrolman in the police department of the town of Westford, and establishing a maximum age limit therefor' be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved March 9, 1954.

Chap.203 AN ACT RELATIVE TO THE INVESTMENT OF THE FUNDS OF
FRATERNAL BENEFIT SOCIETIES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 176, § 18,
etc., amended.

Investment of
certain funds of
fraternal bene-
fit societies,
regulated.

Section 18 of chapter 176 of the General Laws, as most recently amended by section 2 of chapter 336 of the acts of 1941, is hereby further amended by adding at the end the following sentence:— Any society, having admitted assets as shown by its annual statement filed with the commissioner in excess of one hundred and five per cent of its entire liabilities, including its required reserves, provided such reserves are at least equivalent to the amount required by the American Experience Table of Mortality with interest at two and one half per cent per annum, may invest an amount not exceeding five per cent of its funds in the capital stock of a trust company incorporated in and doing business in the commonwealth, or of a national banking association incorporated under federal law and located in any one of the New England states, if such trust company or association has paid dividends in cash of not less than four per cent on its capital stock in each of the five years next preceding the date of the investment, and if the amount of surplus of such trust company or association is at least equal to fifty per cent of the amount of its capital stock.

Approved March 9, 1954.

Chap.204 AN ACT AUTHORIZING THE TOWN OF ROWLEY TO BORROW
MONEY FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

For the purpose of extending its water mains from the corner of Haverhill street and the Turnpike to the corner of Boxford road and Haverhill street, the town of Rowley may borrow from time to time, within five years from the passage of this act, such sums as may be necessary, not exceeding in the aggregate fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words Rowley Water Loan, Act of 1954. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit and shall, except as provided herein, be subject to the applicable provisions of chapter forty-four of the General Laws.

Approved March 9, 1954.

Chap.205 AN ACT GIVING PERMANENT CIVIL SERVICE STATUS TO
GEORGE S. HIGGINS, A PATROLMAN OF THE TOWN OF WIN-
CHENDON.

Be it enacted, etc., as follows:

SECTION 1. George S. Higgins shall, on the effective date of this act, be given civil service status as a permanent

patrolman in the town of Winchendon; provided, however, that he passes a qualifying examination to which he shall be subjected by the division of civil service within nine months of the effective date of this act; and, provided further, that members of the reserve police force of the town of Winchendon and persons on the established eligible list for police entrance for the town of Winchendon refuse, upon certification by the division of civil service, to accept such position.

SECTION 2. This act shall be submitted to the voters of the town of Winchendon at a town meeting held in the year nineteen hundred and fifty-four in the form of the following question, which shall be placed upon the official ballot to be used at said meeting:— "Shall an act passed by the general court in the year nineteen hundred and fifty-four, entitled 'An act giving permanent civil service status to George S. Higgins, a patrolman of the town of Winchendon' be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved March 9, 1954.

AN ACT PROVIDING FOR THE CONSTRUCTION BY THE DEPARTMENT OF PUBLIC WORKS OF A FOOTBRIDGE AT BEAVER STREET IN THE CITY OF REVERE.

Chap.206

Be it enacted, etc., as follows:

SECTION 1. The department of public works is hereby authorized and directed to construct a footbridge over the tracks of the Metropolitan Transit Authority at Beaver street in the city of Revere. Said department is hereby authorized to expend such sums as may be appropriated therefor.

SECTION 2. The city of Revere shall maintain and repair the said bridge and shall provide police protection on or about said bridge.

SECTION 3. This act shall take effect upon its passage.

Approved March 11, 1954.

AN ACT AUTHORIZING THE TRANSFER OF A CERTAIN PARCEL OF LAND IN THE CITY OF FALL RIVER FROM THE PARK DEPARTMENT TO THE SCHOOL COMMITTEE OF SAID CITY.

Chap.207

Be it enacted, etc., as follows:

SECTION 1. The park department of the city of Fall River is hereby authorized to transfer, free from all restrictions, to the school committee of said city, a certain parcel of land in said city acquired for park or other recreational purposes, and bounded and described as follows:—

Beginning at a point in the southerly line of Hood street at a point 163.92 feet easterly of the southeasterly corner of North Main and Hood streets, and at the northeasterly

corner of the land of Park United Church; thence running easterly in the southerly line of Hood street 611 feet for a corner; thence turning an angle of 90° and running southerly 107 feet for a corner; thence turning an interior angle of 135° and running southwesterly 195 feet for a corner; thence turning an exterior angle of 135° and running southerly about 160.12 feet to a point in a line of the extension of the northerly line of Brownell street; thence turning and running westerly in said line about 529.72 feet to a point in the northerly line of Brownell street which point is 42 feet westerly of the northeasterly corner of Brownell and Rock streets; thence turning and running northerly about 275.98 feet to the southeasterly corner of the land of the Park United Church; thence turning and running northeasterly by the easterly line of said church land about 141 feet to the northerly line of Hood street and to the point of beginning.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1954.

Chap.208 AN ACT VALIDATING AND CONFIRMING CERTAIN ACTION TAKEN BY THE TOWN OF SOUTH HADLEY RELATIVE TO THE CONSTRUCTION OF SEWAGE TREATMENT WORKS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 29 of the acts of 1954 is hereby amended by inserting after section 1 the following section: —
Section 1A. Action taken by the town meeting in the town of South Hadley held on March fifteenth, nineteen hundred and fifty-two shall be as valid and effective as though said act as amended by section one hereof had been in full force and effect at the time of the posting of the warrant for said meeting.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1954.

Chap.209 AN ACT ESTABLISHING MINIMUM HOUSING STANDARDS AND RULES AND REGULATIONS RELATIVE THERETO AND DEFINING THE POWERS OF LOCAL BOARDS OF HEALTH RELATIVE TO DWELLING PLACES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make effective without delay the clarification of the existing statute establishing minimum standards and rules and regulations on housing as they affect public health and safety, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public health and safety.

Be it enacted, etc., as follows:

G. L. (Ter.

Ed.), 111,

§ 128, repealed.

SECTION 1. Section 128 of chapter 111 of the General Laws is hereby repealed.

SECTION 2. Said chapter 111 is hereby amended by inserting after section 128A the four following sections: —

Section 128B. A building, structure, mobile dwelling place, tenement, room or cellar occupied as a dwelling place must be so used and maintained that it shall be fit for such purpose.

G. L. (Ter. Ed.), 111, new §§ 128B-128E, added.

The board of health may examine such buildings, structures, mobile dwelling places, tenements, rooms or cellars in its city or town to determine if any such dwelling place has become, by reason of the number of occupants, uncleanliness or other cause unfit for such purpose, or may become a nuisance or cause of sickness or a cause of home accident to the occupants or to the public.

Minimum housing standards, established.

In the absence of regulations adopted under section one hundred and twenty-eight C any building or portion thereof which is leased, rented or occupied as a dwelling place shall comply with the following housing standards:— (1) The building and premises appurtenant thereto shall be kept reasonably clean and free from rubbish. (2) Floors, ceilings, walls, stairs and windows shall be kept in good repair and serviceable. (3) Cellar, basement, floors, walls and ceilings shall be reasonably free from dampness. (4) Water closets and drains therefrom shall be in repair and working order. (5) Heat-generating equipment shall be reasonably adequate and in a safe and serviceable condition.

If an examination under this section discloses that a building or portion thereof does not so comply, the board of health may determine that the building or portion thereof is unfit for human habitation.

Section 128C. The department of public health shall, or a local board of health may, after notice to all persons deemed interested and a public hearing, make, and from time to time amend, alter or repeal, such regulations as are deemed reasonable and necessary to establish the minimum standards of fitness for human habitation. Such regulations shall be in accordance with accepted standards of public health, sanitation, housing and home safety practice, and may define the responsibilities of owners and tenants. A certified copy of such regulations adopted by the department of public health or local board of health shall be deposited with the state secretary. Regulations made by the department of public health shall be effective in any city or town upon acceptance in a city by vote of the city council, or in a town by vote of the town. A certified copy of acceptance shall be deposited with the state secretary and the commissioner of public health. Regulations made by a local board of health shall become effective upon passage by the board, and publication once in a newspaper of local distribution.

Regulations, notice, hearings, etc.

A copy of said regulations shall be available to the public at all reasonable hours in the office of the clerk in such city or town, or in the office of the board of health. Such regulations shall be enforced by such board of health, or health officer, as the case may be.

Section 128D. Upon a determination by the board of health, after examination as provided in section one hundred

Determination of board.

Orders, etc.

Penalty.

Jurisdiction in
superior court.

and twenty-eight B that a building, tenement, room, cellar, mobile dwelling place or any other structure (a) is unfit for human habitation, (b) is or may become a nuisance, or (c) is or may be a cause of sickness or home accident to the occupants or to the public, it may issue a written order to the owner or occupant or any of them thereof, requiring the owner or occupant to vacate, to put the premises in a cleanly condition, or to comply with the housing standards set forth in section one hundred and twenty-eight B which are not complied with. The order shall be served in the same manner as is provided for the service of an order by section one hundred and twenty-four of chapter one hundred and eleven. If the owner or occupant refuses to comply with such order, the board of health may cause the premises to be properly cleaned at the expense of the owner or occupant, remove the occupant forcibly and close up the premises, or proceed under section one hundred and twenty-eight E. Premises closed up under the provisions of this section shall not be occupied as a human habitation without written permission of the board of health. An owner who knowingly occupies or permits the premises to be occupied without such permission, or who knowingly violates any regulation adopted under the provisions of section one hundred and twenty-eight C, shall be punished by a fine of not less than ten nor more than fifty dollars for each day of violation.

Section 128E. Instead of proceeding under section one hundred and twenty-eight D, the board of health, if satisfied that such a building or portion thereof in its town is unfit for human habitation, may issue a written notice to the owner of such building, as appearing in the current records of the assessors of such town, setting forth the particulars of such unfitness and requiring that the conditions be remedied. If the person so notified fails within a reasonable time to remedy the conditions thus set forth, the superior court, on a petition in equity brought by the board of health, shall have jurisdiction, by injunction or otherwise, to enforce the requirements of the board of health.

Approved March 11, 1954.

Chap.210 AN ACT RELATIVE TO EXPENDITURES OF MONEY BY THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Berkshire county may, for the purpose of advertising the recreational advantages of said county, expend such sums, not exceeding, in the aggregate, thirty thousand dollars in any one year, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than double the sum which shall have been contributed by public subscription or by donation deposited

with the county treasurer for the purpose aforesaid. Said commissioners shall expend such sums only for advertising in newspapers, magazines and the like, or for booklets, posters or other forms of advertising. In carrying out the provisions of this act the commissioners may designate an agent or agents to act for them; provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

SECTION 2. Chapter thirty of the acts of nineteen hundred and thirty-eight, as amended, is hereby repealed.

SECTION 3. The state secretary shall cause to be placed on the official ballot to be used in the towns in Berkshire county at the biennial state election in the year nineteen hundred and fifty-four the following question:— "Shall an act passed by the General Court in the year nineteen hundred and fifty-four, entitled 'An Act relative to expenditures of money by the county commissioners of Berkshire county for the purpose of promoting the recreational advantages of said county', be accepted?" If a majority of the votes cast in said county in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved March 11, 1954.

AN ACT INCREASING THE AMOUNT OF MONEY ALLOWED FOR TRAVELING EXPENSES TO PROBATION OFFICERS OF THE DISTRICT COURTS IN THE COUNTY OF BARNSTABLE. Chap.211

Be it enacted, etc., as follows:

Subject to the applicable provisions of section eighty-one of chapter two hundred and eighteen of the General Laws, and notwithstanding the provisions of section ninety-four of chapter two hundred and seventy-six of the General Laws, probation officers of the district courts in the county of Barnstable shall be reimbursed by the county for their actual disbursements for necessary expenses incurred while in the performance of their duties, including their reasonable traveling expenses in attending conferences authorized by section ninety-nine of said chapter two hundred and seventy-six, not exceeding six hundred dollars to each in any one year, upon vouchers approved by the court by which they are appointed.

Approved March 11, 1954.

AN ACT PLACING THE POSITIONS OF THE REGULAR OR PERMANENT MEMBERS OF THE POLICE FORCE OF THE TOWN OF ACTON UNDER THE CIVIL SERVICE LAWS. Chap.212

Be it enacted, etc., as follows:

SECTION 1. The positions of the regular or permanent members of the police force of the town of Acton shall, upon the effective date of this act, become subject to the civil service laws and rules relating to police officers in towns, and

the tenure of office of any incumbent thereof who, on said effective date, shall have served a minimum of two years of regular duty, shall be unlimited, subject, however, to said laws; provided, that he shall pass a qualifying examination for said position, to which he shall be subjected by the division of civil service; and provided, further, that if any such incumbent does not pass such qualifying examination he may continue to serve in such position or office, but shall not be subject to said laws and rules.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the voters of said town present and voting thereon at a special or annual town meeting held in the current year, but not otherwise.

Approved March 11, 1954.

Chap.213 AN ACT AUTHORIZING CITIES AND TOWNS TO REQUIRE THAT CERTAIN WELLS BE FILLED OR COVERED.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 40, § 21, etc., amended.

Section 21 of chapter 40 of the General Laws, as amended, is hereby further amended by inserting after paragraph (19), inserted by chapter 402 of the acts of 1953, the following paragraph: —

Filling or covering certain wells, required.

(20) For requiring owners of land whereon is located an abandoned well or a well in use, to either provide a covering for such well capable of sustaining a weight of three hundred pounds or to fill same to the level of the ground. The penalty for violation of any ordinance or by-law made hereunder shall be a fine of not less than one hundred dollars nor more than five hundred dollars.

Penalty.

Approved March 11, 1954.

Chap.214 AN ACT AUTHORIZING CERTAIN TOWNS TO SELL, LEASE, OR LICENSE SCHOOL BUILDINGS TO A REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 71, new § 14C, added. Licensing of buildings to regional school districts, authorized.

Chapter 71 of the General Laws is hereby amended by inserting after section 14B the following section: — *Section 14C.* The agreement made under section fourteen B, or any amendment to such an agreement, may contain provisions authorizing any member town to sell, lease or grant a license to use any school building to the regional school district, and any such town may authorize such sale, lease or license accordingly, notwithstanding the provisions of section three of chapter forty or any other provisions of law to the contrary. In case of a sale, the price and time or times of payment and the method by which the towns other than the selling town shall be assessed for such payment shall be set forth in the agreement or amendment; but in no case shall payments be made which shall extend over a period in excess of twenty years. In the case of a lease or license to use, the rental or license fee, and similar terms as to pay-

ment and assessment, shall likewise be set forth; but in no case shall the term of the lease or the duration of the license be in excess of twenty years from the date of its commencement.

Approved March 11, 1954.

AN ACT AUTHORIZING THE COUNTY OF DUKES COUNTY TO
CONTRIBUTE TO THE COST OF THE CONSTRUCTION OF A
BULKHEAD ALONG THE SHORES OF OAK BLUFFS HARBOR. Chap.215

Be it enacted, etc., as follows:

SECTION 1. The county of Dukes county is hereby authorized to contribute to the cost of constructing a timber bulkhead along the shores of Oak Bluffs harbor, to be built by the state department of public works during the years nineteen hundred and fifty-four and nineteen hundred and fifty-five, under authority of section eleven of chapter ninety-one of the General Laws, for the protection of the highway from erosion by the sea, and the county treasurer, with the approval of the county commissioners, may pay the county's proportion of such cost from the highway appropriation for the year during which the agreement to make such payment is entered into or, for the purpose of so contributing, may borrow from time to time on the credit of the county such sums as may be necessary, not exceeding, in the aggregate, twenty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words County of Dukes County Highway Protection Loan, Act of 1954. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell such securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 15, 1954.

AN ACT RELATIVE TO THE CONTROL OF THE PONDS OR LAKES
IN WHICH BATHING IS PERMITTED IN THE TOWN OF PEM-
BROKE. Chap.216

Be it enacted, etc., as follows:

SECTION 1. The town of Pembroke, through its board of selectmen, may from time to time make rules and regulations as to the erection, maintenance and control of all public bathhouses on the shores of the ponds or lakes in which bathing is permitted in said town.

SECTION 2. The selectmen of said town may from time to time make rules and regulations governing fishing, boating, bathing, skating and other recreational activities in or on

the ponds or lakes in which bathing is permitted in said town. Such rules and regulations relative to fishing shall be subject to the approval of the division of fisheries and game of the department of natural resources, and such other rules and regulations shall be subject to the approval of the state department of public works, and when so approved shall have the force of law.

SECTION 3. Any police officer of said town may patrol any part of the waters of said ponds and lakes and shall have authority to arrest any person violating any law of the commonwealth in, on or adjacent to the waters of said lakes and ponds or violating any rule or regulation established under this act.

SECTION 4. The violation of any rule or regulation established under this act shall be punished by a fine of not more than twenty dollars.

SECTION 5. Nothing in this act shall be construed to abridge the powers and duties of said department of public works under chapter ninety-one of the General Laws.

SECTION 6. This act shall take effect upon its passage.

Approved March 15, 1954.

Chap. 217 AN ACT PERMITTING THE TRANSPORTATION OF PETROLEUM PRODUCTS ON THE LORD'S DAY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 136, § 6, etc., amended.

Section 6 of chapter 136 of the General Laws is hereby amended by striking out the fourth paragraph, as most recently amended by chapter 504 of the acts of 1951, and inserting in place thereof the following paragraph: —

Transportation of petroleum products, etc., on Sunday, permitted.

Nor shall it prohibit the preparation, printing and publication of newspapers, or the sale and delivery thereof; the wholesale or retail sale and delivery of milk, or the transportation thereof, or the delivery of frozen desserts or ice cream mix, or both, or the wholesale or retail sale of ice or of fuel; the transportation of general commodities by motor truck or trailers, then engaged in interstate commerce before eight o'clock in the forenoon and after eight o'clock in the evening or in the event of an emergency between the aforesaid hours; the transportation of petroleum products by motor truck or trailers then engaged in intrastate commerce before six o'clock in the forenoon and after ten o'clock in the evening; the transportation of livestock, farm commodities and farm equipment for participation in fairs, exhibitions and sporting events and veterinary purposes; the handling, transportation and delivery of fish and perishable foodstuffs at wholesale; the sale at wholesale of dressed poultry, and the transportation of such poultry so sold, on the Lord's day next preceding Thanksgiving day, and on the Lord's day next preceding Christmas day except when Christmas day occurs on Saturday, the Lord's day or Monday; the making of butter and cheese; the keeping open of public bathhouses; the making or selling by bakers or their

employees, before ten o'clock in the forenoon and between the hours of four o'clock and half past six o'clock in the afternoon, of bread or other food usually dealt in by them; whenever Rosh Hashonah, or the Day of Atonement, begins on the Lord's day, the retail sale and delivery of fish, fruit and vegetables before twelve o'clock noon of that day; the selling or delivering of kosher meat by any person who, according to his religious belief, observes Saturday as the Lord's day by closing his place of business during the day until six o'clock in the afternoon, or the keeping open of his shop on the Lord's day for the sale of kosher meat between the hours of six o'clock and ten o'clock in the forenoon.

Approved March 15, 1954.

AN ACT PROVIDING FOR THE COMMITMENT OF FEEBLE MINDED PERSONS TO CERTAIN STATE SCHOOLS BY THE JUSTICES OF DISTRICT COURTS.

Chap. 218

Be it enacted, etc., as follows:

Section 66 of chapter 123 of the General Laws, as most recently amended by section 7 of chapter 684 of the acts of 1950, is hereby further amended by inserting after the first sentence the following sentence: — Any justice of a district court may, in the manner and subject to the conditions imposed by the preceding sentence, commit a person, including a juvenile, residing or being within his district to any of such schools; but no person shall be so committed unless the approval of the department shall be filed with the application for his commitment.

G. L. (Ter. Ed.), 123, § 66, etc., amended.

Commitment of certain feeble minded persons, regulated.

Approved March 15, 1954.

AN ACT RELATIVE TO THE REPLACEMENT AND RESURFACING OF STATE HIGHWAYS.

Chap. 219

Be it enacted, etc., as follows:

Section 21 of chapter 81 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 298 of the acts of 1948, and inserting in place thereof the following sentence: — No state highway shall be dug up, nor opening made therein for any purpose, nor shall any material be dumped or placed thereon or removed therefrom, and no tree shall be planted or removed or obstruction or structure placed thereon or removed therefrom or changed without the written permit of the department, and then only in accordance with its regulations, and the work shall be done under its supervision and to its satisfaction, and the entire expense of replacing and resurfacing the highway at the same level and in as good condition as before, with materials equal in specifications to those removed, shall be paid by the persons to whom the permit was given or by whom the work was done; but a town may dig up a state highway without the approval of the department in case of immediate

G. L. (Ter. Ed.), 81, § 21, etc., amended.

Opening and planting of state highways, regulated.

necessity; but in such cases it shall forthwith be replaced in as good condition as before at the expense of the town.

Approved March 15, 1954.

Chap.220 AN ACT AUTHORIZING SCHOOL COMMITTEES TO CONTRACT FOR THE HIRE OF ATHLETIC COACHES FOR PERIODS NOT EXCEEDING THREE YEARS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 71, new § 47A, added.

Employment of school athletic coaches, authorized.

Chapter 71 of the General Laws is hereby amended by inserting after section 47, as most recently amended by section 1 of chapter 316 of the acts of 1952, the following section: — *Section 47A.* The committee may contract to employ athletic coaches for periods not in excess of three years. The provisions of section forty-one relative to tenure shall not apply to such athletic coaches, unless they are otherwise entitled to tenure.

Approved March 15, 1954.

Chap.221 AN ACT DESIGNATING A BRIDGE CONNECTING THE TOWNS OF ERVING AND MONTAGUE AS THE ERVING-MONTAGUE VETERANS MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The new bridge under construction on route 63 connecting the towns of Erving and Montague shall, upon its completion, be designated as the Erving-Montague Veterans Memorial Bridge. The department of public works is hereby authorized and directed to place on said bridge a suitable plaque bearing said designation.

Approved March 15, 1954.

Chap.222 AN ACT RELATIVE TO THE MEMBERSHIP OF THE FINANCE COMMITTEE OF THE TOWN OF SWAMPSCOTT.

Be it enacted, etc., as follows:

Section 9 of chapter 300 of the acts of 1927 is hereby amended by inserting after the word "precinct", in line 3, the words: — , and two town meeting members at large, — so as to read as follows: — *Section 9.* There shall be a finance committee appointed by the moderator from the town meeting members, consisting of one member from each precinct, and two town meeting members at large, who shall serve during their respective terms as town meeting members, and who shall be appointed at the first town meeting held after this act becomes operative. To this committee shall be referred all questions pertaining to the appropriation or expenditure of money, the creation of debt, the disposition of town property and all other questions affecting the town, for the purpose of making recommendations, but this shall not be construed to prohibit the appointment of special committees to investigate matters pertaining to the town or to execute work authorized by it. This committee shall have

the power to consult with such departments, officers, employees or committees as may have information concerning any matter under consideration, and it shall be the duty of all departments, officers, employees or committees to furnish such information as they possess that may be required by said committee. It shall also have the power to examine, in connection with any subject under investigation or consideration, all books, vouchers, papers and all other instruments in the custody or possession of any officer, employee or agent of the town.

Approved March 15, 1954.

AN ACT RELATIVE TO THE FILING OF A CERTAIN STATEMENT
REQUIRED OF CERTAIN PERSONS UNDER THE CORRUPT
PRACTICES LAW, SO CALLED. Chap.223

Be it enacted, etc., as follows:

Section 20 of chapter 55 of the General Laws, as appearing in section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The statement required to be filed by a candidate, treasurer or other person shall be filed with the clerk of the city or town where such candidate is a voter.

Approved March 18, 1954.

G. L. (Ter. Ed.), 55, § 20, etc., amended.

Filing of statements under corrupt practices law.

AN ACT RELATIVE TO THE DEFINITION OF THE TERM
“POLITICAL COMMITTEE”. Chap.224

Be it enacted, etc., as follows:

Section 1 of chapter 50 of the General Laws is hereby amended by striking out in line 5 of the paragraph defining “political committee”, as amended by section 5 of chapter 318 of the acts of 1943, the word “thirty-eight” and inserting in place thereof the word: — twenty-nine.

Approved March 18, 1954.

G. L. (Ter. Ed.), 50, § 1, etc., amended.

Definition of term “political committee”.

AN ACT RELATIVE TO THE ARRANGEMENT OF NAMES ON
BALLOTS. Chap.225

Be it enacted, etc., as follows:

Section 34 of chapter 53 of the General Laws, as most recently amended by section 3 of chapter 406 of the acts of 1953, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

Names of candidates for nomination for all other offices to be voted for at a state primary of which they are the elected incumbents or the incumbents chosen by the senate and house of representatives shall be placed first in alphabetical order and names of other candidates shall follow in like order.

Approved March 18, 1954.

G. L. (Ter. Ed.), 53, § 34, etc., amended.

Arrangement of names on state primary ballots, regulated.

Chap. 226 AN ACT REGULATING THE POSSESSION OF HYPODERMIC INSTRUMENTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 94, § 209, etc., amended.

Possession of hypodermic instruments, regulated.

SECTION 1. Chapter 94 of the General Laws is hereby amended by striking out section 209, as amended by chapter 509 of the acts of 1945, and inserting in place thereof the following section:— *Section 209.* No person, not being a physician, dentist, nurse or veterinarian registered under the laws of this commonwealth or of the state where he resides, or a registered embalmer, manufacturer or dealer in embalming supplies, wholesale druggist, manufacturing pharmacist, registered pharmacist, manufacturer of surgical instruments, official of any government having possession of the articles hereinafter mentioned by reason of his official duties, nurse acting under the direction of a physician or dentist, employee of an incorporated hospital acting under the direction of its superintendent or officer in immediate charge, or a carrier or messenger engaged in the transportation of such articles, or a person who has received a written prescription issued under section two hundred and nine A, or a chiropodist or podiatrist who has received from the board of registration in chiropody (podiatry) a certificate stating that upon examination by said board he has been determined to be competent to use hypodermic needles, shall have in his possession a hypodermic syringe, hypodermic needle, or any instrument adapted for the use of narcotic drugs by subcutaneous injection. No such syringe, needle or instrument shall be delivered or sold to, or exchanged with, any person except a registered pharmacist, physician, dentist, veterinarian, registered embalmer, manufacturer or dealer in embalming supplies, wholesale druggist, manufacturing pharmacist, a nurse upon the written order of a physician or dentist, or a person who has received a written prescription issued under section two hundred and nine A, a chiropodist or podiatrist who holds a certificate issued by the board of registration in chiropody (podiatry) as aforesaid, or an employee of an incorporated hospital upon the written order of its superintendent or officer in immediate charge. A record shall be kept by the person selling such syringe, needle or instrument, which shall give the date of the sale, the name and address of the purchaser and a description of the instrument. This record shall at all times be open to inspection by the department of public health, the boards of registration in medicine, veterinary medicine, chiropody (podiatry), and pharmacy and the board of dental examiners, authorized agents of said department and boards, and police authorities and police officers of towns. Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment in a jail or house of correction for not more than two years, or both.

Penalty.

SECTION 2. Said chapter 94 is hereby further amended by striking out section 209A, as appearing in the Tercenary Edition, and inserting in place thereof the following section: — *Section 209A.* A registered physician may issue to a patient under his immediate charge, a written prescription to purchase any of the instruments specified in section two hundred and nine. Such prescription shall contain the name and address of the patient, the description of the instrument prescribed and the number of instruments prescribed. The pharmacist filling the prescription shall record upon the face of said prescription, over the signature of the pharmacist making the sale, the date of such sale. Such prescription may be refilled or renewed for a period of one year from its date of issuance unless the physician indicates otherwise on the prescription. No such prescription shall be filled which has been outstanding for more than one year from the date of its issuance without having been filled.

G. L. (Ter. Ed.), 94, § 209A, amended.

Purchase of hypodermic instruments, regulated.

Approved March 18, 1954.

AN ACT POSTPONING THE EFFECTIVE DATE OF A LAW REGULATING THE USE OF STEAM LOCOMOTIVES AND FURTHER ABATING SMOKE NUISANCES WITHIN THE CITY OF BOSTON.

Chap. 227

Be it enacted, etc., as follows:

Section 3 of chapter 134 of the acts of 1950 is hereby amended by striking out, in line 2, the word "fifty-five" and inserting in place thereof the word: — sixty.

Approved March 18, 1954.

AN ACT AUTHORIZING THE CITY OF BOSTON TO SELL A CERTAIN PARCEL OF LAND TO CONGREGATION ADATH ISRAEL OF BOSTON.

Chap. 228

Be it enacted, etc., as follows:

SECTION 1. The board of park commissioners of the city of Boston, with the approval of the mayor, is hereby authorized to sell and convey to the Congregation Adath Israel of Boston, also known as Temple Israel, any part or the whole of the land known as Berners Square, in the Roxbury district of the city of Boston, now held by said city for park purposes.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved March 22, 1954.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO FEDERAL NATIONAL LINEN SERVICE CO.

Chap. 229

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the city of Boston is hereby authorized to appropriate and pay a sum of money not exceeding eight hundred and seventy-five

dollars to Federal National Linen Service Co. for services rendered to said city by order of an official thereof, which order was issued without complying with the provisions of the charter of said city. *Approved March 22, 1954.*

Chap.230 AN ACT RELATIVE TO FILLING VACANCIES IN ELECTIVE BODIES IN CERTAIN CITIES HAVING A PLAN E CHARTER.

Be it enacted, etc., as follows:

In any city having a Plan E form of city charter and having plurality voting as provided by chapter six hundred and sixty-one of the acts of nineteen hundred and forty-nine, as amended, a vacancy in any elective body therein shall be filled forthwith for the unexpired term by the remaining members of the body concerned, who shall choose whichever of the defeated candidates who are eligible and willing to serve, and who received the highest number of votes for membership in the body in which the vacancy occurs at the last regular municipal election at which members of said body were elected. *Approved March 22, 1954.*

Chap.231 AN ACT CLARIFYING THE DUTIES OF SUPERVISORS OF ATTENDANCE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 72, § 8, amended.

SECTION 1. Section 8 of chapter 72 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 8, the words "the attendance officers" and inserting in place thereof the words: — supervisors of attendance.

G. L. (Ter. Ed.), 77, § 13, amended.

SECTION 2. Section 13 of chapter 77 of the General Laws, as so appearing, is hereby amended by inserting after the word "under", in line 2, the words: — section eight of chapter seventy-two,.

Approved March 22, 1954.

Chap.232 AN ACT PROVIDING FOR BLOOD GROUPING TESTS TO AID IN THE DETERMINATION OF PATERNITY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 273, new § 12A, added. Blood grouping tests in certain paternity cases, authorized.

Chapter 273 of the General Laws is hereby amended by inserting after section 12, as appearing in the Tercentenary Edition, the following section: — *Section 12A.* In any proceeding to determine the question of paternity, the court, on motion of the defendant, shall order the mother, her child and the defendant to submit to one or more blood grouping tests, to be made by a duly qualified physician or other duly qualified person, designated by the court, to determine whether or not the defendant can be excluded as being the father of the child. The results of such tests shall be admissible in evidence only in cases where definite exclusion of the defendant as such father has been established. If one of the parties refuses to comply with the order of the

court relative to such tests, such fact shall be admissible in evidence in such proceeding unless the court, for good cause, otherwise orders.

Approved March 23, 1954.

AN ACT EXEMPTING THE CITY OF LAWRENCE FROM CERTAIN
RESTRICTIONS IN THE LAW RELATIVE TO EVENING CLASSES
IN INDUSTRIAL AND OCCUPATIONAL SCHOOLS. Chap.233

Be it enacted, etc., as follows:

SECTION 1. The restriction in the definition of "Evening class" in section one of chapter seventy-four of the General Laws upon evening classes in independent industrial schools or independent distributive occupations schools, according to which instruction in such classes shall be given only to pupils employed during the day in work to which the instruction so given applies, shall not apply to industrial or occupational schools maintained by the city of Lawrence, for a period of three years after the effective date of this act.

SECTION 2. This act shall take effect upon its passage.

Approved March 23, 1954.

AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO APPROPRIATE MONEY TO MEET AN OVERDRAFT IN THE APPROPRIATION FOR SCHOOL SALARY AND WAGES IN NINETEEN HUNDRED AND FIFTY-THREE. Chap.234

Be it enacted, etc., as follows:

SECTION 1. The town of Framingham is hereby authorized to appropriate the sum of nineteen thousand one hundred and four dollars and forty-five cents for the purpose of meeting an overdraft in the appropriation made for the payment of school salary and wages in nineteen hundred and fifty-three, said overdraft having occurred in December of said year.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1954.

AN ACT AUTHORIZING THE CITY OF NORTH ADAMS TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS. Chap.235

Be it enacted, etc., as follows:

SECTION 1. The city of North Adams is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said city is hereby authorized to pay, such of the unpaid bills incurred by said city and totalling three hundred and forty-six dollars and eighty-eight cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations, and as are certified for payment by the heads

of the departments wherein the bills were contracted; provided, that the money so appropriated to pay such bills shall be raised by taxation in said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its passage.

Approved March 25, 1954.

Chap.236 AN ACT INCREASING THE AMOUNT THE BOYLSTON WATER DISTRICT MAY BORROW FOR THE ESTABLISHMENT OF A WATER SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 421 of the acts of 1951 is hereby amended by inserting after the word "hundred", in line 5, the words: — and twenty-five.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1954.

Chap.237 AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWN OF GREENFIELD AT A SPECIAL MEETING OF CERTAIN QUESTIONS PERTAINING TO THE CONSTRUCTION OF A NEW HIGH SCHOOL BUILDING.

Be it enacted, etc., as follows:

SECTION 1. At a special meeting of the voters of the town of Greenfield which the selectmen are hereby authorized to call, there shall be submitted to the voters thereof, the three following questions which shall be printed upon the official ballot to be used at said meeting: — (1) Shall the town acquire by purchase or take by eminent domain for school purposes, land beginning on the south side of Dickinson street at the northeast corner of lot number sixty-three; thence westerly along the south side of Dickinson street and its prolongation thereof 656.06 feet to the west line of Gold street; thence southerly along the west line of Gold street to the south side of Parkside street; thence westerly along the south side of Parkside street to the northwest corner of lot No. 1; thence southerly along said lot

No. 1 to land of the town of Greenfield known as Shattuck Park; thence easterly along said land of the town of Greenfield about 657 feet to land of Murdock T. MacLellan and Joanna M. Leahey; thence northerly along said land of MacLellan and Leahey 151.33 feet to the south side of Parkside street; thence easterly along the south line of Parkside street 150.37 feet; thence northerly at right angles to said south line of Parkside street, crossing said street and along the east line of lots 42 and 43 a distance of 307.06 feet to the south line of Bowles street; thence easterly along the south line of Bowles street 10.39 feet; thence northerly at right angles to said south line of Bowles street, crossing said street and along the east line of lots 62 and 63 a distance of 286.10 feet to the place of beginning, the included angle at this point being 90; excepting from this taking lot No. 6, which is already owned by the town of Greenfield, all of said lots mentioned above being shown on a plan entitled "Plan of Parkside as laid out by P. B. Moore, July, 1907", and filed in the Franklin County Registry of Deeds, Plan Book 6, Page 13, and appropriate therefor?

(2) Shall the town transfer under section fifteen A of chapter forty of the General Laws to the care and custody, management and control of the school committee a certain tract of land taken for non-payment of taxes and being known as lot No. 6 on plan entitled "Plan of Parkside as laid out by P. B. Moore, July, 1907" and filed in the Franklin County Registry of Deeds, Plan Book 6, Page 13?

(3) Shall the town appropriate the sum of three million one hundred and ninety thousand dollars to build, equip and furnish a new high school building or buildings on the Dickinson street lot so called and located westerly of Federal street and southerly of Dickinson street, raise and appropriate, transfer from available funds, borrow, under provisions of chapter forty-four of the General Laws and chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, or otherwise provide a sum or sums of money for this purpose, to be expended under the direction of the school committee?

Said meeting shall be conducted in the manner provided by General Laws for the conduct of annual meetings for the election of town officers in so far as applicable to said town. If two thirds of the voters of said town present and voting at said special meeting, vote in the affirmative on question (1) it shall be taken and deemed to be the vote of said town that land be taken for the construction thereon of a new high school building.

If a majority of the voters of the town present and voting at said special meeting, vote in the affirmative on question (2) it shall be deemed and taken to be the vote of the town that said land be transferred to the jurisdiction of the school committee.

If two thirds of the voters of said town present and voting at said meeting, vote in the affirmative on question (3)

it shall be taken and deemed to be the vote of the town that the money be appropriated and borrowed for the construction of a new high school building.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1954.

Chap.238 AN ACT INCREASING THE NUMBER OF STATE EXAMINERS OF ELECTRICIANS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 13, § 32, etc., amended.

Section 32 of chapter 13 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 20 of chapter 585 of the acts of 1952, and inserting in place thereof the following sentence: —

Makeup of board of state examiners of electricians.

The state examiners of electricians, hereinafter called the board, shall consist of the director of civil service, the state fire marshal and the director of the division of vocational education of the department of education, ex officiis, and two persons to be appointed for terms of three years each by the governor, with the advice and consent of the council.

Approved March 25, 1954.

Chap.239 AN ACT RELATIVE TO THE CLEARANCE OF TRACKS IN RAILROAD YARDS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 160, § 134A, etc., amended.

Section 134A of chapter 160 of the General Laws, as amended by chapter 667 of the acts of 1953, is hereby further amended by adding at the end the following sentence: —

Clearance of certain railroad tracks, regulated.

The provisions of this section shall not apply to the North Station or the South Station, so called, in the city of Boston or to any other passenger station established and maintained by any railroad corporation in this commonwealth.

Approved March 25, 1954.

Chap.240 AN ACT PROHIBITING THE EMPLOYMENT OF MINORS UNDER EIGHTEEN YEARS OF AGE ON CERTAIN TYPES OF ELEVATORS, OR IN THE CLEANING OR REPAIRING OF ELEVATORS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 149, § 61, etc., amended.

SECTION 1. Section 61 of chapter 149 of the General Laws, as most recently amended by chapter 98 of the acts of 1954, is hereby further amended by striking out the last sentence.

G. L. (Ter. Ed.), 149, § 62, etc., amended.

SECTION 2. Section 62 of said chapter 149 is hereby amended by inserting after the word "be", in line 5 of clause (15), as appearing in chapter 171 of the acts of 1946, the following: — ; in the operation or management of any type of elevator other than a self-service elevator, as defined in the regulations of the board of elevator regulations and duly filed with the office of the state secretary, or in the cleaning or repairing of any type of elevator.

SECTION 3. Section 78 of said chapter 149, as amended by section 1 of chapter 292 of the acts of 1934, is hereby further amended by striking out, in line 5, the words “, except as provided in section sixty-one,”.

G. L. (Ter. Ed.), 149, § 78, etc., amended.

Approved March 25, 1954.

AN ACT PROVIDING THAT NO FEE SHALL BE COLLECTED FOR THE REGISTRATION OF MOTOR VEHICLES OR TRAILERS USED BY VOLUNTEER FIRE COMPANIES, SOLELY FOR FIRE FIGHTING PURPOSES. Chap. 241

Be it enacted, etc., as follows:

Section 33 of chapter 90 of the General Laws is hereby amended by striking out the third paragraph, as appearing in chapter 540 of the acts of 1952, and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 90, § 33, etc., amended.

For the registration of every ambulance owned and operated by any hospital or other institution or association supported wholly or in part by public or private donations for charitable purposes, and every motor vehicle or trailer used by the fire or police department of any city or town or park board solely for the official business of such department or board, and every motor vehicle or trailer used by a volunteer fire company, as authorized under chapter forty-eight, in any town solely for fire fighting purposes, no fee shall be collected hereunder. *Approved March 25, 1954.*

Exemption from registration fees for certain vehicles, granted.

AN ACT AUTHORIZING THE CITY OF WORCESTER TO REINSTATE JAMES F. DUFFY AS A MEMBER OF THE FIRE DEPARTMENT FOR THE SOLE PURPOSE OF RETIREMENT. Chap. 242

Be it enacted, etc., as follows:

SECTION 1. Any provision of law to the contrary notwithstanding, the city of Worcester may reinstate James F. Duffy as a member of the fire department of said city for the sole purpose of retirement and in order to correct a mistake made at the time of his original retirement. Upon said reinstatement, the city of Worcester may retire said James F. Duffy for disability caused by injuries sustained or hazards undergone in the actual performance of his duties as a member of said fire department. Said retirement shall be under the provisions of paragraph (a) of section eighty-one A of chapter thirty-two of the General Laws in effect in said city on the date of his original retirement.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Worcester subject to the provisions of its charter. *Approved March 25, 1954.*

Chap. 243 AN ACT RELATIVE TO THE EXAMINATION OF CERTAIN COASTAL WATERS AND FLATS OF THE COMMONWEALTH BY THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 130, § 74, etc., amended.

Examination of certain state coastal waters and flats, regulated.

SECTION 1. Chapter 130 of the General Laws is hereby amended by striking out section 74, as most recently amended by chapter 463 of the acts of 1948, and inserting in place thereof the following section:—*Section 74.* The department of public health shall examine from time to time as conditions may require, or upon the request of the director, the mayor or city manager of a city, or the selectmen or town manager of a town, but not more frequently than once in two years, the coastal waters and flats of the commonwealth and samples of shellfish therein or thereon in order to determine what areas thereof are so contaminated that shellfish obtained therefrom are unfit for food and dangerous to the public health. If, after such examination, said department determines that such contamination exists, it shall, by written order, promulgate definite bounds of the area or areas so determined to be contaminated. Before such determination shall be in effect, said department shall

(1) Publish the results of its determination thereof in a newspaper published in each city and town in which or adjacent to which any such contaminated area is situated,

(2) Shall file in the office of the clerk of every such city and town the results of such determination,

(3) Shall cause to be posted at points on or near every such area a description thereof, specifying said bounds and a statement that such area is contaminated,

(4) Shall notify the directors of the division of marine fisheries and the division of law enforcement of its determination by filing with them properly authenticated copies, certified by the secretary of state, of its determination, publication, filing and posting. Whenever, as a result of a subsequent examination of an area or areas determined by said department to be contaminated, it determines that the shellfish in such area or areas are safe to use as food, notice of such determination shall be published immediately, and the directors notified thereof. The record of any examination hereunder and the bacteriological counts made therein shall be subject to inspection upon request,

(5) Personnel of the department of public health, in the performance of their duties under this section, may enter upon and pass through or over private lands or property whether or not covered by water.

This section shall not apply to scallops.

Exception.

SECTION 2. This act shall not nullify any determinations in force on the effective date thereof.

Approved March 25, 1954.

AN ACT RELATIVE TO THE APPOINTMENT OF CONSERVATION DISTRICT SUPERVISORS. *Chap. 244*

Be it enacted, etc., as follows:

Chapter 128B of the General Laws is hereby amended by striking out section 5, as amended by section 2 of chapter 73 of the acts of 1947, and inserting in place thereof the following section: — *Section 5.* Within sixty days after an area has been declared a conservation district, the committee shall appoint a board of three or five supervisors who shall be land occupiers residing on or owning agricultural land in said district, from lists of eligible names submitted by the petitioners, trustees for county aid to agriculture or trustees of county agricultural schools. Supervisors originally appointed hereunder shall serve for terms of one, two, three, four or five years, respectively. Successors to fill unexpired terms, or for full terms of three or five years each, shall be elected by the land occupiers in the district. The committee shall give public notice of each such election by publication in a newspaper published in said district or having a general circulation therein at least ten days prior thereto. The committee shall prescribe regulations for and conduct such elections. The person receiving the highest number of votes for any office to be filled at such election shall be declared elected. All supervisors shall serve until the qualification of their respective successors, or until said district is dissolved under section eleven. Supervisors shall be paid at a rate determined by the committee for each day of actual service rendered, with their necessary traveling and other expenses, from any moneys received under paragraph seven of section seven. *Approved March 25, 1954.*

G. L. (Ter. Ed.), 128B, § 5, etc., amended.

Conservation district supervisors, appointment of, etc.

AN ACT EXEMPTING CERTAIN PERSONS FROM PAYMENT OF CERTAIN PROPERTY TAXES. *Chap. 245*

Be it enacted, etc., as follows:

Clause Twenty-second of section 5 of chapter 59 of the General Laws, as most recently amended by chapter 675 of the acts of 1951, is hereby further amended by striking out paragraph (g) and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 59, § 5, etc., amended.

(g) Fathers and mothers of soldiers or sailors who served as aforesaid and who lost their lives in such service; provided, that only two thousand dollars of the real estate of any such father or mother held jointly by them shall be exempted; and provided, further, that the words “father and mother”, as appearing in this subsection, shall be construed to include natural fathers and mothers and father and mother by adoption and persons who stood in loco parentis to said soldiers and sailors.

Exemptions for parents of service personnel killed in line of duty.

Approved March 25, 1954.

Chap. 246 AN ACT PROVIDING THAT LOCAL POLICE AUTHORITIES AND DISTRICT ATTORNEYS BE FURNISHED WITH INFORMATION RELATIVE TO CERTAIN PERSONS CHARGED WITH OR CONVICTED OF SEX CRIMES OR CRIMES OF A PERVERTED NATURE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 147, § 4B, etc., amended.

Releases or discharges of persons convicted of certain sex crimes, regulated.

Chapter 147 of the General Laws is hereby amended by striking out section 4B, inserted by chapter 116 of the acts of 1939, and inserting in place thereof the following section: — *Section 4B.* Not less than seven days before the time set for the release or discharge on parole, or otherwise, of any person confined in a penal or reformatory institution of the commonwealth or of any county under sentence for an assault of an indecent nature under section thirteen A of chapter two hundred and sixty-five, for a violation of any provision of sections thirteen B or twenty-two to twenty-four, inclusive, of said chapter two hundred and sixty-five, of sections five, seventeen, thirty-four or thirty-five of chapter two hundred and seventy-two, of so much of section sixteen of said chapter two hundred and seventy-two as pertains to open and gross lewdness and lascivious behavior, and of so much of section fifty-three of said chapter two hundred and seventy-two as pertains to lewd, wanton and lascivious persons in speech or behavior or to persons guilty of indecent exposure, or of any person confined in any department for defective delinquents, or in any state hospital, as defined in section one of chapter one hundred and twenty-three, or in the Bridgewater state hospital, who was removed thereto after conviction of a violation of any such provision or was committed thereto during the pendency of a complaint or indictment for a violation of any such provision, the officer in charge of such institution, department or hospital, as the case may be, shall notify the commissioner in writing of such intended release or discharge; provided, that if any such person is released or discharged as aforesaid under such circumstances that it is not possible for the officer in charge to comply with the foregoing provision, he shall so notify the commissioner as soon as possible that such person will be or has been released or discharged as aforesaid. Upon receipt of any such notice the commissioner shall furnish to the police authorities of each city and town, and to each district attorney, within the commonwealth the name of the person referred to in such notice, his known aliases, if any, last known address, age, height and weight, his photograph, description of his finger prints, summary of his criminal history and a list of any institutions for the insane and departments for defective delinquents in which he has been known to have been confined, and such other information as the commissioner deems necessary.

Duties of clerks of courts.

In all cases covered by this section where a fine is imposed or sentence suspended, the clerk of court shall furnish release data to the commissioner of public safety on forms furnished by him.

In all cases where a person has been found guilty of an offence of similar nature to those enumerated above in any court of competent jurisdiction outside of the commonwealth and the commissioner has knowledge that such person has been released or resides within the commonwealth, the aforesaid descriptive data in so far as available may be furnished to the police authorities of each city and town, and to each district attorney, within the commonwealth.

Approved March 25, 1954.

AN ACT TO PERMIT ACCIDENT AND HEALTH INSURANCE COMPANIES TO COVER THEIR EMPLOYEES FOR ACCIDENT AND HEALTH INSURANCE.

Chap. 247

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 36A, inserted by chapter 496 of the acts of 1948, the following section: — *Section 36B.* Any domestic company which is authorized to transact business under subdivisions (a) and (d) of clause Sixth of section forty-seven may, with the written approval of the commissioner, establish a plan to provide such insurance benefits for its employees. Any such plan may provide for contributions by the employees. The term "employee", as used in this section, shall include an officer. Such benefits may be provided in one or more general or blanket accident and health policies issued by such company, or with other benefits in one or more group life policies or group annuity contracts issued by such company, if authorized to issue any such policy or contract, or by any other company so authorized, or in any other manner that the directors of such company may prescribe. If any such benefits are provided otherwise than by any such general or blanket or group policies, the company may in connection therewith establish special funds for the purpose of financing such benefits. Section one hundred and ten A shall apply to any benefits granted under the authority of this section.

G. L. (Ter. Ed.), 175, new § 36B, added.

Insurance benefits for employees of certain companies, authorized.

Approved March 25, 1954.

AN ACT FURTHER REGULATING THE CLOSE SEASON ON EDIBLE CRABS.

Chap. 248

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to change the date when edible crabs may be taken or caught to March thirty-first starting in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section 40 of chapter 130 of the General Laws, as amended by chapter 194 of the acts of 1951, is hereby further amended by striking out, in line 3, the words "April thirtieth" and inserting in place thereof the words: — March thirty-first, —

G. L. (Ter. Ed.), 130, § 40, etc., amended.

Close season
on edible crabs,
established.

so as to read as follows: — *Section 40.* No person, either as principal, agent or employee, shall between December first and the following March thirty-first, both dates inclusive, take or catch edible crabs, by the use of traps or otherwise, from the coastal waters. Violation of the provisions of this section shall be punished by a fine of not less than ten nor more than fifty dollars.

Approved March 29, 1954.

Chap. 249 AN ACT EXTENDING THE EXISTENCE OF THE MASHPEE ADVISORY COMMISSION AND RELATIVE TO THE QUALIFICATIONS OF THE MEMBERS THEREOF.

Emergency
preamble.

Whereas, The existence of the Mashpee Advisory Commission expires by law on April fifteenth, nineteen hundred and fifty-four; and

Whereas, It is essential to the welfare of the inhabitants of the town of Mashpee that said commission be empowered to continue to function without interruption, and the deferred operation of this act would tend to defeat its purpose, which is to enable said commission so to function without interruption, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 223 of the acts of 1932 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 284 of the acts of 1951, and inserting in place thereof the following section: — *Section 1.* There is hereby established an unpaid commission, under the title of the Mashpee Advisory Commission, hereinafter called the commission, to consist of three members, each of whom shall be the head of a state department or the head of a division or bureau thereof, designated by the governor, with the advice and consent of the council, and shall serve for a period terminating April fifteenth, nineteen hundred and fifty-seven. The governor, with like advice and consent, shall, from time to time, designate one of the members as chairman, may remove any member and shall fill any vacancy in the commission for the unexpired term. The action of any two of the members shall constitute the action of the commission; and whenever any action by the commission is required to be in writing, such writing shall be sufficient when signed by any two of the members. The commission may employ, at the expense of the town of Mashpee, such assistants as it may deem necessary. The commission may assign for specific or general employment one or more persons within a state department or division or bureau in charge of any member of the commission, and any expense incurred by reason of such assignment shall be certified by the commission to the state treasurer, and shall be collected by him as an additional state tax upon said town.

Approved March 29, 1954.

AN ACT AUTHORIZING CERTAIN TEMPORARY ASSOCIATIONS BY SAVINGS BANKS FOR THE PURPOSE OF TRAINING YOUNG PEOPLE IN THE PRINCIPLES OF BANKING. Chap. 250

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to grant to certain banks an immediate authorization to sponsor the temporary association referred to therein, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by striking out section 12, as most recently amended by chapter 765 of the acts of 1951 and inserting in place thereof the following section:—*Section 12.* No domestic or foreign corporation or individual, partnership or association, except savings banks and trust companies incorporated under the laws of this commonwealth, or such foreign banking corporations as were doing business in this commonwealth, and were subject to examination or supervision by the commissioner on June first, nineteen hundred and six, shall hereafter make use of any sign at the place where its business is transacted having thereon any name or other words, indicating that such place or office is the place or office of a savings bank, or make use of or circulate any written or printed or partly written and partly printed paper whatever, having thereon any name or other words, indicating that such business is that of a savings bank; nor shall any such corporation, individual, partnership or association, or any agent of a foreign corporation not having an established place of business in this commonwealth, solicit or receive deposits or transact business in the way or manner of a savings bank, or in such a way or manner as to lead the public to believe, or as in the opinion of the commissioner might lead the public to believe, that its business is that of a savings bank. No domestic or foreign corporation or individual, partnership or association other than corporations excepted from the prohibitions contained in the first sentence of this section, co-operative banks incorporated under the laws of this commonwealth, foreign banking associations authorized under section thirty-seven to transact business in this commonwealth, and corporations authorized to do the business of a banking company under chapter one hundred and seventy-two A, shall hereafter transact business under any name or title which contains the word “bank” or “banking”, or any word in a foreign language having the same or similar meaning, as descriptive of said business, or, if he or it does a banking business or makes a business of receiving money on deposit, under any name or title containing the word “trust”, or any word in a foreign language having the same or similar meaning, as descriptive of said business. There shall be excepted from the prohibitions contained in this section temporary asso-

G. L. (Ter. Ed.), 167, § 12, etc., amended.

Sponsorship of temporary training associations by certain banks, authorized.

ciations of individuals formed under the sponsorship of a trust company or national bank, savings bank, savings and loan association, co-operative bank or federal savings and loan association situated in this commonwealth for the purpose of training young people in the basic principles and practices of banking by actual participation in pattern or model organizations and operations designed as educational programs. The organization of such associations shall be subject to the approval of the commissioner and their subsequent operation to his supervision.

Approved March 29, 1954.

Chap.251 AN ACT MAKING RETROACTIVE CERTAIN PROVISIONS OF LAW RELATING TO THE EXEMPTION FROM THE INCOME TAX LAW FOR FOSTER CHILDREN AND STEPCHILDREN.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make immediately effective certain provisions of law relative to exemptions from the income tax law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 62, § 6,
etc., amended.

SECTION 1. Section 6 of chapter 62 of the General Laws is hereby amended by striking out clause (h), as most recently amended by chapter 514 of the acts of 1953, and inserting in place thereof the following clause: —

Exemptions
from state
income tax.

(h) The sum of five hundred dollars for a husband or wife with whom the taxpayer lives and whose income from all sources does not exceed two thousand dollars during the year and, if entirely dependent on the taxpayer for support, the sum of four hundred dollars for each parent, for each child, stepchild or foster child under the age of eighteen and for each child, stepchild or foster child eighteen years of age or over incapable of self-support because of physical or mental disability. The aforesaid deduction for each child, stepchild or foster child shall not be allowed to both husband and wife, but may be allowed to either as they shall mutually agree, or shall be prorated between them in proportion to the net income of each in excess of two thousand dollars.

Effective date.

SECTION 2. This act shall take effect as of January first, nineteen hundred and fifty-four and shall apply to income tax returns reporting income of the calendar year nineteen hundred and fifty-three, and thereafter.

Approved March 29, 1954.

Chap.252 AN ACT RELATIVE TO THE MEMBERSHIP OF THE CORPORATION ORGANIZED TO ADMINISTER THE GLOUCESTER FISH PIER, AND THE FILING OF A FINANCIAL REPORT.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 311 of the acts of 1931 is hereby amended by striking out, in lines 29 to 32, inclu-

sive, as appearing in section 1 of chapter 29 of the acts of 1937, the words “; and the members of the corporation shall be the members of the municipal council, the city treasurer and city auditor of the city of Gloucester from time to time in office”, and inserting in place thereof the following:— The membership of the corporation shall consist of five persons, all of whom shall be residents of the city of Gloucester, to be appointed by the mayor for terms of three years. Elected or appointed officials of the city shall be eligible for such appointments. Said corporation shall, on or before January first each year, file with the city clerk a financial report, and said report shall be available for public inspection at reasonable times.

SECTION 2. Of the persons initially appointed as members of the corporation under section three of chapter three hundred and eleven of the acts of nineteen hundred and thirty-one, as amended by section one of this act, two shall be appointed for terms of three years, two for terms of two years and one for a term of one year and upon the expiration of the term of each member his successor shall be appointed for a term of three years.

SECTION 3. This act shall take effect upon its passage.

Approved March 29, 1954.

AN ACT ESTABLISHING THE TIME FOR FILING A FINAL REPORT
BY THE METROPOLITAN TRANSIT AUTHORITY OF ITS STUDIES
RELATIVE TO THE EXTENSION OF RAPID TRANSIT FACILITIES
IN CAMBRIDGE AND ARLINGTON. Chap.253

Be it enacted, etc., as follows:

SECTION 1. Chapter 613 of the acts of 1952 is hereby amended by striking out section 3 and inserting in place thereof the following section:— *Section 3.* The trustees of the Authority shall file with the clerk of the house of representatives, on or before the first Wednesday of December in the year nineteen hundred and fifty-four a final report with reference to said studies, preliminary plans and estimates of cost, together with drafts of any necessary legislation.

SECTION 2. This act shall take effect upon its passage.

Approved March 29, 1954.

AN ACT MAKING PROVISIONS FOR REPORTS BY VOLUNTARY
ASSOCIATIONS AND CERTAIN TRUSTS. Chap.254

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 182 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word “inclusive”, in line 8, the words:—, and twelve to fourteen, inclusive,—so as to read as follows:— *Section 1.* The following words, as used in this chapter, shall, except as otherwise expressly provided in sec-

G. L. (Ter.
Ed.), 182, § 1,
amended.

Definitions.

tion two A, have the following meanings: "Association", a voluntary association under a written instrument or declaration of trust, the beneficial interest under which is divided into transferable certificates of participation or shares. "Commissioner", the commissioner of corporations and taxation. "Department", the department of public utilities. When used in sections two to seven, inclusive, and twelve to fourteen, inclusive, of this chapter, the word "trust" shall, except as otherwise expressly provided in section two A, mean a trust operating under a written instrument or declaration of trust, the beneficial interest under which is divided into transferable certificates of participation or shares, other than a trust established for the sole purpose of exercising the voting rights pertaining to corporate stock or other securities in accordance with the terms of a written instrument.

G. L. (Ter. Ed.), 182, new §§ 12-14, added.

Contents of reports to be filed with tax commission.

SECTION 2. Said chapter 182 is hereby further amended by adding after section 11 the following three sections:—

Section 12. Every association or trust shall annually on or before June first file with the state tax commission a report signed under the penalties of perjury by its trustees stating (a) the name of the association or trust; (b) the location (with street address) of its principal office in this commonwealth and elsewhere if the trust or association does business outside the commonwealth; (c) the number of its issued and outstanding transferable certificates of participation or shares; and (d) the names and addresses of its trustees.

Filing fees.

Section 13. The state tax commission shall examine such report, and if it finds that it conforms to the requirements of this chapter, it shall endorse its approval thereon; and upon the payment of a fee of ten dollars, the report shall be filed in the office of the state secretary, who shall receive and preserve it in book form convenient for reference and open to public inspection.

Penalty upon failure to file report.

Section 14. If the trust or association fails to file its report within the time required by law, the commissioner shall give notice by mail, postage prepaid, to such trust or association in default. If the trust or association omits to file such report within thirty days after such notice of default has been given, it shall forfeit to the commonwealth not less than five dollars nor more than ten dollars for each day during which default continues. Such forfeiture may be recovered by the commonwealth in an action brought in Suffolk county in the name of the commonwealth, or may be recovered by an information in equity in the name of the attorney general at the relation of the state tax commission brought in the supreme judicial court in Suffolk county. Upon such information, the court may issue an injunction restraining the further prosecution of the business of the trust or association until such forfeiture, with interest and costs, has been paid and until such report has been filed.

Approved March 29, 1954.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 29, 1954.

HONORABLE EDWARD J. CRONIN, *Secretary of the Commonwealth,
State House, Boston, Massachusetts.*

SIR: — I, Christian A. Herter, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measure", do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the twenty-ninth day of March in the year one thousand nine hundred and fifty-four, being Chapter 254 of the Acts of 1954 entitled, "An Act Making Provisions for Reports by Voluntary Associations and Certain Trusts", should take effect forthwith and that it is an emergency law, and that facts constituting the emergency are as follows:

The delayed operation of this legislation would make it impossible for the Commonwealth to receive the reports required by the legislation during the current year as the reports shall be filed on or before June first annually.

Very truly yours,

CHRISTIAN A. HERTER,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON. March 29, 1954.

I, Leo M. Harlow, Deputy Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and thirty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter two hundred and fifty-four of the acts of nineteen hundred and fifty-four.

LEO M. HARLOW,
Deputy Secretary of the Commonwealth.

AN ACT ESTABLISHING A SELECTMEN-TOWN MANAGER FORM
OF GOVERNMENT FOR THE TOWN OF RANDOLPH. Chap. 255

Be it enacted, etc., as follows:

SECTION 1. *Board of Selectmen.* — At the first town election following the acceptance of this act the registered voters of the town of Randolph shall elect five selectmen of whom two shall serve for terms of three years, two for terms of two years, and one for a term of one year. At each annual town election thereafter the voters shall elect in place of those selectmen whose terms are about to expire a like number of selectmen to serve for terms of three years. When a vacancy occurs in the office of selectmen, the remaining selectmen may at any time prior to the next town election appoint a qualified person to serve as selectman until such

election, at which election the voters shall elect a selectman to serve for the unexpired portion, if any, of the original term. The selectmen in office at the time of said first election shall continue in office until their successors are elected and qualified.

SECTION 2. *Other Elected Officials.* — In addition to the selectmen, the registered voters of the town shall continue to elect the following officials in accordance with any applicable statutes, by-laws and votes of the town: —

- (a) A moderator.
- (b) A school committee.
- (c) Trustees of Stetson school fund.
- (d) Town meeting members.

The term of office of any elective office, board or commission so continued, under this section, shall not be interrupted. Every other elective office, board or commission shall be terminated as hereinafter provided, any other provisions of law to the contrary notwithstanding. The term of office of any person elected to any office, board or commission existing at the time of such acceptance and terminated hereunder shall continue until such first town election and until the appointment and qualification of his successor, if any, and thereafter the said offices, boards and commissions shall be abolished, and all powers, duties and obligations conferred or imposed thereon by law, except as provided by this act, shall be conferred and imposed upon the selectmen and exercised by the town manager to the extent hereinafter provided. The powers, duties and responsibilities of elected officials shall be as now or hereafter provided by applicable statutes and by-laws and votes of the town, except as otherwise expressly provided herein.

SECTION 3. *Appointed Officials.* — (a) The selectmen shall appoint a town manager as provided in section six, who may thereafter be removed as provided in section eight.

(b) The selectmen shall appoint a board of appeals, constables, election officers and registrars of voters other than the town clerk, and may, after such notice and hearing as they may deem advisable, remove any person so appointed for cause.

(c) The moderator shall appoint such boards, committees and officers, including a finance committee, as he may now or hereafter be directed to appoint by any applicable law, by-law or vote of the town.

(d) The town manager shall appoint, upon merit and fitness alone, and may, subject to the provisions of chapter thirty-one of the General Laws where applicable, remove for cause —

(1) A board of public health, a board of public welfare, a planning board, a board of assessors, town accountant, town clerk, town treasurer, tax collector, board of library trustees and town counsel.

(2) All other officers, boards, committees and employees of the town, with the exception of the elected officials specified

in section two, and officers and employees of such elected officials.

(3) Except as otherwise provided by law, in all positions, employments and work, citizens of the town shall be given preference; if a person other than a citizen is appointed or employed the town manager shall forthwith deliver to the board of selectmen a written statement of his reasons.

SECTION 4. *Memberships, Terms, Powers, Duties and Responsibilities.* — The number of members of boards, commissions and committees so appointed as provided in the preceding section, the length of the term of each member thereof and of officers so appointed, and the powers, duties and responsibilities of the same shall be as now or hereafter provided by any applicable law, by-law or vote of the town, except as herein otherwise provided. Upon appointment and qualification of the various officials as provided for in section three, the term of office and all powers and duties of each person theretofore holding each such office shall cease and be terminated.

Officers, boards, commissions and committees appointed by the town manager shall possess all the powers and rights and shall be subject to all the duties and liabilities specifically conferred or imposed by any applicable provision of law upon them or upon officers, boards, commissions or committees having corresponding powers and duties, but in the performance thereof they shall be subject to the general supervision of the town manager.

SECTION 5. *Multiple Offices.* — A member of the board of selectmen, or of the school committee, or of the finance committee, shall, during the term for which he was elected or appointed, be ineligible to hold any other elective or appointive town office or position other than town meeting member. Any person elected or appointed to any other office, board, commission or committee under the provisions of this act or of any general or special law, shall be eligible, during his term of office, for election or appointment to any other town office, board, commission or committee, except that the town accountant shall not be eligible to hold the office of town treasurer or town collector.

Subject to the approval of the selectmen the town manager may, but without additional compensation therefor, assume the powers, duties and responsibilities of any office which he is authorized to fill by appointment, such assumption to be evidenced by and effective upon the filing with the town clerk of a written declaration of such assumption signed by the town manager, except he shall not appoint himself as a member of any board or committee.

SECTION 6. *Appointment of Town Manager.* — The selectmen shall appoint, as soon as practicable after the first town election following acceptance of this act or after the occurrence of any vacancy, for a term of three years, a town manager who shall be a person especially fitted by education, training and by previous full-time paid experience in municipi-

pal government as a town or city manager, assistant manager or administrative assistant, to perform the duties of his office. The town manager shall be appointed without regard to his political beliefs. He shall not be a resident of the town when appointed, but shall be a resident of the town during his term of office. He may be appointed for successive terms of office. Before entering upon the duties of his office the town manager shall be sworn to the faithful and impartial performance thereof by the town clerk, or by a justice of the peace. He shall execute a bond in favor of the town for the faithful performance of his duties in such sum and with such surety or sureties as may be fixed or approved by the selectmen, the premium for said bond to be paid by the town.

SECTION 7. *Acting Manager.* — The town manager may designate, by letter filed with the town clerk, a qualified officer of the town to perform his duties during his temporary absence or disability. Pending the appointment of a town manager or the filling of any vacancy or the failure of the town manager to designate a temporary manager, or during the suspension of the town manager, the selectmen shall appoint a suitable person to perform the duties of the office.

SECTION 8. *Removal of Manager.* — The selectmen, by a majority vote of the full membership of the board, may remove the town manager. At least thirty days before such proposed removal shall become effective, the selectmen shall file a preliminary resolution with the town clerk setting forth in detail the specific reasons for his proposed removal, a copy of which resolution shall be sent by registered mail to the town manager. The manager may reply in writing to the resolution and may request a public hearing. If the manager so requests, the board of selectmen shall hold a public hearing not earlier than twenty days nor later than thirty days after the filing of such request. After such public hearing, if any, otherwise at the expiration of thirty days following the filing of the preliminary resolution, and after full consideration, the selectmen, by a majority vote of the full membership of the board, may adopt a final resolution of removal. In the preliminary resolution, the selectmen may suspend the manager from duty, but in any case his salary shall continue to be paid until the expiration of one month after the date of the final resolution of removal.

SECTION 9. *Compensation of Manager.* — The town manager shall receive such compensation for his services as the selectmen shall determine, but it shall not exceed the amount appropriated therefor by the town.

SECTION 10. *Powers and Duties of Manager.* — In addition to other powers and duties expressly provided for in this act, the town manager shall have the following powers and duties: —

(a) The town manager shall supervise and direct and shall be responsible for the efficient administration of all offices, boards and committees appointed by him and their respec-

tive departments. He shall, in addition, supervise and direct and shall be responsible for the efficient administration of any agency of the town not subject to his appointment or control, but only at such time and to such extent and for such period as the elected officials having control of such agency or activity may, with the consent of the selectmen, determine.

(b) The town manager, in accordance with the provisions of this act and except as otherwise expressly prohibited by the General Laws, may reorganize, consolidate or abolish departments, commissions, boards or offices under his direction and supervision, in whole or in part, may establish such new departments, commissions, boards or offices as he deems necessary, and in so doing, may transfer the duties and powers, and, so far as possible in accordance with the vote of the town, the appropriation of one department, commission, board or office to another.

(c) The town manager shall fix the compensation of all town officers and employees appointed by him, subject to any applicable provisions of chapter thirty-one or section one hundred and eight A of chapter forty-one of the General Laws.

(d) The town manager shall keep full and complete records of his office and shall render as often as may be required by the selectmen a full report of all operations during the period reported on.

(e) The town manager shall keep the selectmen fully advised as to the needs of the town, and shall recommend to the selectmen for adoption such measures requiring action by them or by the town as he may deem necessary or expedient.

(f) The town manager shall have jurisdiction over the rental and use of all town property, except schools. He shall be responsible for the maintenance and repairs of all town property, including school buildings and grounds. Except as otherwise voted by the town, he shall be responsible for the preparation of plans and the supervision of work on all construction, reconstruction, alterations, improvements and other undertakings authorized by the town, subject, however, to the approval of the school committee with respect to plans for the construction or improvement of school buildings or property.

(g) The town manager shall administer, either directly or through a person or persons appointed by him in accordance with this act, all provisions of general and special laws applicable to said town, all by-laws and all regulations established by the selectmen.

(h) The town manager shall, with the approval of the selectmen, have the authority to prosecute, defend or compromise all litigation to which the town is a party.

(i) The town manager shall perform such other duties consistent with his office as may be required of him by the by-laws or vote of the town or by the vote of the selectmen.

(j) The town manager shall have access to all town books

and papers for information necessary for the proper performance of his duties, and may, without notice, cause the affairs of any department or activity under his control, or the conduct of any officer or employee thereof, to be examined.

(k) The town manager shall purchase all supplies, materials and equipment, and shall award all contracts for all departments and activities of the town under his supervision; and he shall make all purchases for departments or activities not under his supervision but only upon and in accordance with a requisition duly signed by the head of any such department.

SECTION 11. *Appointment of Assessors.* — The town manager shall appoint a principal assessor, who shall devote his full time and attention to the duties of his office and shall serve as chairman of the board, and two additional assessors.

SECTION 12. *Approval of Warrants.* — The town manager shall be the chief fiscal officer of the town. Warrants for the payment of town funds prepared by the town accountant, in accordance with the provisions of section fifty-six of chapter forty-one of the General Laws, shall be submitted to the town manager. The approval of any such warrant by the town manager, or in his absence the acting town manager, shall be sufficient authority to authorize payment by the town treasurer, but the selectmen shall approve all warrants in the event of the absence of the town manager, acting town manager or a vacancy in the office of town manager.

SECTION 13. *Fees paid to Treasury.* — The aggregate compensation of each town employee appointed by the town manager shall be limited to the amount established in accordance with the provisions of this act and all fees received in accordance with the provisions of any general or special law shall be paid into the treasury of the town.

SECTION 14. *Investigations of Claims.* — Whenever any pay roll, bill or other claim against the town is presented to the town manager, he shall, if the same seems to him to be of doubtful validity, excessive in amount, or otherwise contrary to the interests of the town, refer it to the selectmen, who shall immediately investigate the facts and determine what, if any, payment should be made. Pending such investigation and determination by the selectmen, payment shall be withheld.

SECTION 15. *Certain Officers not to make Contracts with the Town.* — It shall be unlawful for any selectman, the town manager, or any other elective or appointive official of the town, directly or indirectly, to make a contract with the town, or to receive any reward from, or any share in the profits of, any person or corporation making or performing such contract, unless the official concerned, immediately upon learning of the existence of such contract, or that such a contract is proposed, shall notify the selectmen and the town manager, by registered mail, of the contract and of the nature of his interest therein, and shall abstain from doing any official act

on behalf of the town in reference thereto. In case such interest exists on the part of an officer whose duty it is to make such a contract on behalf of the town, the contract may be made by another officer of the town duly authorized thereto by vote of the selectmen. Violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the town. Any person violating any provision of this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

SECTION 16. *Estimate of Expenditures.* — All boards, officers and committees of the town shall annually, at the request of the town manager, submit to him in writing a detailed estimate of the appropriations required for the efficient and proper conduct of their respective departments and offices during the next fiscal year. On or before the first day of December of each year, the town manager shall submit to each member of the finance committee and of the board of selectmen, a copy of his annual budget, which shall contain a careful, detailed estimate of the probable expenditures of the town for the ensuing fiscal year, including a statement of the amounts required to meet the interest and maturing bonds and notes or other indebtedness of the town, and showing specifically the amount necessary to be provided for each office, department and activity, together with a statement of the expenditures for the same purposes in the two preceding years and an estimate of expenditures for the current year. He shall also submit a statement showing all revenues received by the town in the two preceding years, together with an estimate of the receipts of the current year and an estimate of the amount of income from all sources of revenue exclusive of taxes upon property in the ensuing year. He shall also report to said committee and to the selectmen the probable amount required to be raised by taxation to defray all of the proposed expenditures of the town, together with an estimate of the tax rate necessary therefor.

SECTION 17. *By-Laws, Rules, etc.* — All laws, by-laws, votes, rules and regulations in force in the town of Randolph on the effective date of this act, or any portion thereof, not inconsistent with its provisions, whether enacted by authority of the town or any other authority, shall continue in full force and effect until otherwise provided by law, by-law or vote; all other laws, by-laws, votes, rules and regulations, so far as they refer to the town of Randolph, are hereby repealed and annulled, but such repeal shall not revive any pre-existing enactment.

SECTION 18. *Contracts.* — No contract existing and no action at law or suit in equity, or other proceeding pending at the time this act is accepted, or at the time of revocation of such acceptance, shall be affected by such acceptance or revocation.

SECTION 19. *Submission of Act and Time of Taking Effect.* — This act shall be submitted for acceptance to the qualified voters of the town of Randolph at the first annual town election or state election after passage of this act. The vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the following question, which shall be placed upon the ballot to be used at said election: — “Shall an act passed by the General Court in the year nineteen hundred and fifty-four, entitled ‘An act establishing a selectmen-town manager form of government for the town of Randolph’ be accepted by the town?” If a majority of the voters voting on this question vote in the affirmative, said act shall take effect immediately for the purpose of the next annual town election, and for all things relating thereto, and shall take full effect beginning with said following election. It shall be the duty of all town officials having to do with elections and holding office at the time of acceptance to do, in compliance with law, all things necessary for the nomination and election of officers first to be elected under this act.

If this act is rejected when first submitted it shall again be submitted at the next following annual town election, and if accepted shall take effect as hereinbefore provided.

If this act is rejected for the second time it shall be again submitted at the annual town election in the year nineteen hundred and fifty-six, and if accepted shall take effect as hereinbefore provided. If this act is again rejected when so submitted for the third time, it shall thereupon become void.

SECTION 20. *Revocation of Acceptance.* — At any time after the expiration of three years from the date of acceptance of this act, and not less than ninety days before the date of an annual meeting, a petition signed by not less than ten per cent of the registered voters of the town may be filed with the selectmen, requesting that the question of revoking the acceptance of this act be submitted to the voters. No such petition shall be valid unless notice thereof shall be published by the selectmen for at least two consecutive weeks in a newspaper having general circulation in the town, the last publication to be at least thirty days prior to said annual meeting. The selectmen shall thereupon direct the town clerk to cause the said question to be printed on the official ballot to be used at the next annual election in the following form: — “Shall the acceptance by the town of Randolph of an act passed by the General Court in the year nineteen hundred and fifty-four, entitled ‘An act establishing a selectmen-town manager form of government for the town of Randolph’ be revoked?” If such revocation is favored by a majority of the voters voting thereon, this act shall cease to be operative on and after the annual meeting next following such vote. All general laws respecting town administration and town officers, and any special laws rela-

tive to said town, the operation of which has been suspended or superseded by acceptance of this act, shall be revived by such revocation and shall continue to be in full force and effect. By-laws, votes, rules and regulations in force when such revocation takes effect, so far as they are consistent with the general laws respecting town administration and town officers and with special laws relating to said town shall not be affected thereby, but any other by-laws, votes, rules and regulations inconsistent with such general or special laws shall be annulled. If such revocation is not favored by a majority of the voters voting thereon, no further petition therefor shall be filed under this section oftener than once in every three years thereafter.

Approved March 29, 1954.

AN ACT RELATIVE TO THE EXPENDITURE OF FUNDS FOR THE Chap.256
SCHOOL LUNCH PROGRAM.

Be it enacted, etc., as follows:

Chapter 548 of the acts of 1948 is hereby amended by striking out section 3, inserted by chapter 417 of the acts of 1950, and inserting in place thereof the following section: — *Section 3.* School committees may use therefor funds disbursed to them under the provisions of this act, gifts and other funds received from sale of school lunches under such programs. Such contributions received in the form of money, together with fees from sale of lunches and any allotments received from the state under the provisions of this act for said purposes, shall be deposited with the treasurer of such town or, in cases where the town is a member of a regional school district, with the treasurer of such district, and held as a separate account and expended by said school committee without appropriation, notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws. Nothing in this act shall prevent cities or towns from appropriating funds in addition to those provided from other sources.

Approved March 29, 1954.

AN ACT DEFINING AND FURTHER REGULATING PRIVATE OR Chap.257
PROPRIETARY SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. Section 21 of chapter 93 of the General Laws, as most recently amended by section 1 of chapter 583 of the acts of 1941, is hereby further amended by striking out, in line 2, the word "trade" and inserting in place thereof the words: — or proprietary.

G. L. (Ter.
Ed.), 93, § 21,
etc., amended.

SECTION 2. Said chapter 93 is hereby further amended by striking out section 21A, inserted by section 2 of said chapter 583, and inserting in place thereof the following section: — *Section 21A.* The term "private or proprietary

G. L. (Ter.
Ed.), 93, § 21A,
etc., amended.

"Private or proprietary school", defined.

school" shall, in sections twenty-one to twenty-one D, inclusive, mean a school maintained or classes conducted for a tuition charge or for a profit for the purpose of giving training in the fields of trade and industry, sales and distribution, communications, art, music, business, or courses in preparation for civil service or license or competency examinations in industrial or trade or technical subjects, but shall not include a school or educational program owned, controlled and operated by a religious denominational or eleemosynary institution; a school or college regularly chartered and authorized by the laws of the commonwealth to grant degrees; an endowed school which offers approved courses without profit; a school exclusively engaged in training physically handicapped persons; a school conducted by any person for the education and training of his own employees for which no fee is charged; or a school already or hereafter licensed by duly constituted boards under provisions of Massachusetts laws.

A proprietary school is one which operates either on a profit or non-profit basis, and is separate and apart from tax-supported institutions.

In the licensing of new schools or the acceptance of new courses, the requirements with respect to courses of instruction in the apprenticeable skilled trades shall be determined by the board of education, with the advice of the department of labor and industries.

G. L. (Ter. Ed.), 93, § 21B, etc., amended.

SECTION 3. Section 21B of said chapter 93, as amended by section 3 of chapter 499 of the acts of 1952, is hereby further amended by striking out, in line 2 and in line 33, the word "trade" and inserting in place thereof, in each instance, the words: — or proprietary.

G. L. (Ter. Ed.), 93, § 21D, etc., amended.

SECTION 4. Section 21D of said chapter 93, inserted by section 2 of said chapter 583, is hereby amended by striking out, in line 2, the word "trade" and inserting in place thereof the words: — or proprietary. *Approved March 29, 1954.*

Chap. 258 AN ACT REGULATING THE LOWERING OF THE WATERS OF A GREAT POND.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 91, new § 19A, added.

Chapter 91 of the General Laws is hereby amended by inserting after section 19 the following section:—*Section 19A.* No person authorized or licensed to build any structure, drive piles, fill land or to make any dam or other obstruction or encroachment in, over or upon the waters of any great pond below the natural high water mark, or to make any erection or excavation at any outlet of a great pond whereby the water may be raised or lowered, shall, except in case of emergency, lower the water of said pond, except a body of water used for agricultural, manufacturing, mercantile, irrigation, or insect control purposes, or for flowing cranberry bogs, or for public water supply, unless he

Lowering of waters of great ponds, regulated.

shall have notified the department of natural resources of his intention so to do and has received the approval of said department to lower the waters of said pond. Whoever violates the provisions of this section shall be punished by a fine of not less than one hundred nor more than five hundred dollars. Penalty.

Approved March 29, 1954.

AN ACT REVIVING WILLIAMS INN CLUB, INCORPORATED.

Chap.259

Whereas, The deferred operation of this act would delay the corporation revived thereby in resuming the exercise of its former corporate powers, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency
preamble.

Be it enacted, etc., as follows:

Williams Inn Club, Incorporated, a corporation dissolved by decree of the supreme judicial court for Suffolk county on April tenth, nineteen hundred and forty-six, is hereby revived with the same powers, duties and obligations as if said decree had not been entered; provided, that if said corporation seeks to obtain a license for the sale of alcoholic beverages under the provisions of section twelve of chapter one hundred and thirty-eight of the General Laws, the provisions of section seventeen of said chapter which allow the granting of additional licenses to such clubs as were licensed to sell during the year nineteen hundred and thirty-five all alcoholic beverages shall not apply to said corporation.

Approved March 30, 1954.

AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO LEASE
A PARCEL OF LAND AT LAKE COCHITUATE FOR RECREA-
TIONAL PURPOSES.

Chap.260

Be it enacted, etc., as follows:

SECTION 1. The town of Framingham is hereby authorized to lease for recreational purposes, as provided by section 2 of chapter 557 of the acts of 1947, as amended by chapter 518 of the acts of 1949, a parcel of land, the owner of which is the state department of natural resources, bounded and described as follows: —

Beginning at a stone bound, which is common to the lands of the Boston Edison Company, the commonwealth of Massachusetts, and Horace J. and Exillia M. Kehoe; thence running N. 47° 20' 30'' E. 141.93 feet to a stone bound; thence S. 09° 31' 45'' E. 13.92 feet to a stone bound; thence N. 61° E. 76.00 feet to a point, the last three mentioned courses being by land of Kehoe; thence S. 29° E. 95.00 feet more or less by other land of the commonwealth of Massachusetts, to the shore line of Lake Cochituate; thence southwesterly and southeasterly by the shore line of Lake Cochituate 228.00 feet more or less to a point; thence S. 38° 52' 30'' W. 118.00 feet more or less by other land of the

commonwealth of Massachusetts to land of North Avenue Inc.; thence by last mentioned land N. 51° 07' 30'' W. 113.71 feet to a stone bound; and N. 23° 53' 30'' E. 126.30 feet to the stone bound which marks the point of beginning.

SECTION 2. This act shall take effect upon its passage.

Approved March 30, 1954.

Chap. 261 AN ACT TO AUTHORIZE THE CHILDREN'S HOSPITAL AND INFANTS HOSPITAL TO FORM AN ALLIANCE FOR THE PURPOSE OF MAINTAINING AND OPERATING IN COMMON A MEDICAL CENTER.

Be it enacted, etc., as follows:

SECTION 1. The Children's Hospital and the Infants Hospital, charitable corporations organized and existing under the laws of Massachusetts, and such other charitable corporations heretofore or hereafter organized under said laws as may be mutually agreed upon, in furtherance of their respective corporate purposes, are hereby authorized and empowered to form an alliance for, and otherwise co-operate in, establishing, maintaining and operating a medical center and to render mutual services and operate one or more plants in common in connection with such medical center.

SECTION 2. Said corporations are hereby authorized and empowered to enter into such mutual agreement or agreements, to take such other action, and to acquire and hold, either separately, jointly or as tenants in common, such real and personal property as they may respectively deem necessary or desirable for the accomplishment of the objects set forth in section one; provided, however, that none of said corporations exceed the limits imposed by law upon the amount of property which each may acquire and hold, and for the purpose of computing said limits each of said corporations shall, in the absence of an agreement between them to the contrary, be considered as holding an equal part of any property owned jointly or in common as aforesaid; and said corporations respectively are hereby further authorized and empowered to expend such of their funds, not restricted to other purposes, as they may respectively deem necessary or desirable to accomplish any of the objects set forth in this act.

SECTION 3. Any personal property from time to time held by said corporations as provided in this act and any real property so held, in so far as such real property shall be occupied by one or more of said corporations or their officers for the objects set forth in this act, shall be considered for the purposes of taxation as property of the kind described in paragraph three of section five of chapter fifty-nine of the General Laws, irrespective of whether such property shall be held separately, jointly or as tenants in common.

SECTION 4. This act shall take effect upon its passage.

Approved March 30, 1954.

AN ACT RELATIVE TO THE TRANSPORTATION OF OLEOMAR- *Chap.262*
GARINE FOR SALE.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide for the repeal of certain provisions of the General Laws forthwith, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Sections fifty-two, fifty-six and fifty-seven of chapter ninety-four of the General Laws are hereby repealed.

G. L. (Ter.
Ed.), 94,
§§ 52, 56, 57,
repealed.

Approved April 1, 1954.

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR *Chap.263*
ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND FIFTY-
FOUR, TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING
APPROPRIATIONS, AND FOR CERTAIN NEW ACTIVITIES AND
PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for meeting deficiencies in certain appropriations previously made, and for certain new activities and projects, the sums set forth in section two, for the several purposes and subject to the conditions specified in said section, are hereby appropriated for the current fiscal year or for such other period as may be specified, from the General Fund or ordinary revenue of the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Legislature.

Item		
0102-53	For expenses of the counsel to the house of representatives	\$480 00
0102-60	For traveling and such other expenses of the committees of the house of representatives as may be authorized by order of the house of representatives	350 00
0110-04	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including not more than two permanent positions, to be in addition to the balance in accounts payable under item 0110-04 as appropriated by section two of chapter three hundred and ten of the acts of nineteen hundred and fifty-two	10,500 00

Item

- 0204-00 } From the unexpended balance remaining in
0101-60 } item 0204-00 of section two of chapter
four hundred and eighty-nine of the acts
of nineteen hundred and fifty-three the
sum of six hundred and fifty dollars is
hereby transferred and made available for
the purposes of item 0101-60 of said sec-
tion two of said chapter four hundred and
eighty-nine.
- 0204-00 } From the unexpended balance remaining in
0102-04 } item 0204-00 of section two of chapter
four hundred and eighty-nine of the acts of
nineteen hundred and fifty-three the sum
of one hundred and ninety-seven dollars
is hereby transferred and made available
for the purposes of item 0102-04 of said
section two of said chapter four hundred
and eighty-nine
- 0204-00 } From the unexpended balance remaining in
0103-02 } item 0204-00 of section two of chapter
four hundred and eighty-nine of the acts of
nineteen hundred and fifty-three the sum
of thirty-five dollars is hereby transferred
and made available for the purposes of
item 0103-02 of sections two of chapters
four hundred and eighty-nine and six
hundred and seventy-five of the acts of
nineteen hundred and fifty-three.
- 0204-00 } From the unexpended balance remaining in
0103-05 } item 0204-00 of section two of chapter
four hundred and eighty-nine of the acts
of nineteen hundred and fifty-three the
sum of six hundred and eighteen dollars
is hereby transferred and made available
for the purposes of item 0103-05 of said
section two of said chapter four hundred
and eighty-nine.
- 0204-00 } From the unexpended balances remaining in
0103-04 } item 0204-00 of section two of chapter
0110-05 } four hundred and eighty-nine of the acts
of nineteen hundred and fifty-three and
item 0103-04 of sections two of chapters
four hundred and eighty-nine and six hun-
dred and seventy-five of the acts of nine-
teen hundred and fifty-three the sum of
eight hundred dollars from said item
0204-00 and the sum of three thousand
two hundred dollars from said item 0103-
04 shall be transferred to and made avail-
able for the purposes of item 0110-05 of
said section two of said chapter four hun-
dred and eighty-nine.
- 0229-00 } From the unexpended balance remaining in
0103-51 } item 0229-00 of section two of chapter six
hundred and thirty-two of the acts of
nineteen hundred and fifty-two and resolve
seven of the acts of nineteen hundred and
fifty-three the sum of five thousand dol-
lars is hereby transferred and made avail-
able for the purposes of item 0103-51 of
section two of chapter four hundred and
eighty-nine of the acts of nineteen hundred
and fifty-three.

\$303 00

Item

Special:

0229-00 } From the unexpended balance remaining in
0110-09 } item 0229-00 of section two of chapter six
hundred and thirty-two of the acts of
nineteen hundred and fifty-two and re-
solve seven of the acts of nineteen hundred
and fifty-three the sum of five thousand
dollars is hereby transferred and made
available for the purposes of item 0110-
09 of said section two of said chapter six
hundred and thirty-two.

0229-00 } From the unexpended balance remaining in
0267-00 } item 0229-00 of section two of chapter six
hundred and thirty-two of the acts of
nineteen hundred and fifty-two and re-
solve seven of the acts of nineteen hundred
and fifty-three the sum of two thousand
dollars is hereby transferred and made
available for the purposes of item 0267-00
of section two of chapter six hundred and
seventy-five of the acts of nineteen hun-
dred and fifty-three.

Service of the Judiciary.

0302-05 See item 0320-05.

Special:

0320-05 For the development of uniform forms to be
used in the probate courts throughout the
commonwealth \$6,000 00

Service of the Executive Department.

Civil Defense Agency.

0406-01 For the service of the civil defense agency,
as authorized by chapter six hundred and
thirty-nine of the acts of nineteen hundred
and fifty and chapter five hundred and
twenty-two of the acts of nineteen hundred
and fifty-one as further amended by chap-
ter four hundred and ninety-one of the
acts of nineteen hundred and fifty-three . \$17,500 00

Service of the Military Division.

0423-02 For the operation of armories of the first
class, including not more than eighty-four
permanent positions \$20,000 00

Boards and Commissions serving under Governor and Council.

State Airport Management Board.

0493-01 For the operation of the Logan airport, in-
cluding not more than one hundred and
five permanent positions \$25,000 00

Service of the Secretary of the Commonwealth.

0501-02 } From the unexpended balance remaining in
0503-02 } item 0501-02 of section two of chapter
four hundred and eighty-nine of the acts

Item

- of nineteen hundred and fifty-three the sum of one hundred and fifty dollars is hereby transferred and made available for the purposes of item 0503-02 of said section two of said chapter four hundred and eighty-nine.
- 0502-01 } From the unexpended balance remaining in
0503-01 } item 0502-01 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three the sum of nine hundred and fifty dollars is hereby transferred and made available for the purposes of item 0503-01 of said section two of said chapter four hundred and eighty-nine.

Service of the Treasurer and Receiver-General.*State Board of Retirement.*

- 0604-01 For the administrative office of the board, including not more than eighteen permanent positions \$500 00
- 0604-03 Item 0604-03 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three is hereby amended by striking out, in line 10, the words "one hundred and seventy-five" and inserting in place thereof the words:— two hundred and five 300,000 00

Emergency Finance Board.

- 0605-01 For administrative expenses of the board, including not more than one permanent position \$3,500 00

Service of the Department of the Attorney General.

- 0802-01 For the settlement of certain claims, as provided by law, on account of damages by cars owned by the commonwealth and operated by state employees; provided, that the comptroller shall transfer to the General Fund from the appropriate funds sums equal to the payments made under this item for claims against agencies whose appropriations are derived from other funds \$10,000 00
- 0802-02 For the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws 5,000 00

Service of the Department of Banking and Insurance.*Division of Insurance.*

- 1103-02 For the service of the division, including expenses of the board of appeal and certain other costs of supervising motor vehicle liability insurance, and including not more than two hundred and forty permanent positions; provided, that contracts or

Item	orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws; and, provided further, that the comptroller shall transfer to the General Fund the sum of one hundred and fifty-seven thousand two hundred and fifty-five dollars from the Highway Fund . . .	\$9,047 00
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Service of the Department of Corporations and Taxation.

1201-02	Item 1201-02 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three is hereby amended by striking out, in line 12, the words "four hundred and seventy-five" and inserting in place thereof the words: — five hundred and five . . .	\$30,000 00
1201-03	Item 1201-03 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three is hereby amended by striking out, in line 4, the word "twenty-two" and inserting in place thereof the word: — twenty-three . . .	5,000 00
1201-12	For expenses of the division of field investigation and temporary taxes . . .	500 00
1201-22	For expenses for the administration of an excise on meals; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from amounts collected under chapter sixty-four B of the General Laws . . .	5,000 00
1202-02	For expenses of the income tax division; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from receipts of the income tax . . .	21,000 00
1202-03	Special: For the purchase of equipment; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from receipts of the income tax . . .	125,000 00
1203-01	Item 1203-01 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three is hereby amended in line two by striking out the word "twenty-one" and inserting in place thereof the word: — twenty-two.	

Service of the Department of Education.

1301-10	For the service of the state building on Newbury Street, Boston, including not more than four permanent positions . . .	\$5,000 00
1301-53	For the reimbursement of certain towns for the transportation of pupils as provided by law; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax . . .	197,684 00

Item

- 1327-20 } From the unexpended balance remaining in
 1327-10 } item 1327-20 of section two of chapter
 four hundred and eighty-nine of the acts
 of nineteen hundred and fifty-three the
 sum of five hundred and seventy-five dol-
 lars is hereby transferred and made avail-
 able for the purposes of item 1327-10 of
 said section two of said chapter four hun-
 dred and eighty-nine.

*For the maintenance of and for certain im-
 provements at the following state teachers'
 colleges, and the boarding halls attached
 thereto, with the approval of the commis-
 sioner of education:*

- 1337-01 State teachers' college at Worcester, includ-
 ing not more than fifty-four permanent
 positions \$12,500 00

Youth Service Board.

- 1380-10 For reimbursement of cities and towns for
 tuition of children attending the public
 schools \$2,800 00
- 1381-01 } From the unexpended balances remaining in
 1382-01 } items 1381-01 of section two of chapter
 1384-01 } four hundred and eighty-nine of the acts
 1380-01 } of nineteen hundred and fifty-three, 1382-
 01 of sections two of chapters four hundred
 and eighty-nine and six hundred and
 seventy-five of the acts of nineteen hundred
 and fifty-three, and 1384-01 of said section
 two of said chapter four hundred and
 eighty-nine, the sums of two thousand
 dollars from said item 1381-01, three
 thousand dollars from said item 1382-01
 and ten thousand dollars from said item
 1384-01 are hereby transferred and made
 available for the purposes of item 1380-01
 of said sections two of said chapters four
 hundred and eighty-nine and six hundred
 and seventy-five.
- 1385-01 For the operation of the Institute of Juvenile
 Guidance, including not more than twenty
 permanent positions 65,885 00

School Building Assistance Commission.

- 1393-05 For reimbursement of certain cities and
 towns for part of the cost of construction of
 school projects, as authorized by chapter
 six hundred and forty-five of the acts of
 nineteen hundred and forty-eight, as
 amended, to be in addition to any amount
 heretofore appropriated for the purpose;
 provided, that a sum equivalent to the
 payments under this item be transferred
 to the General Fund from the receipts of
 the income tax \$2,600,000 00

Service of the Department of Civil Service and Registration.*Division of Registration.*

- 1403-02 For the service of the division, including not
 more than forty-four permanent positions \$4,800 00

Service of the Department of Commerce.

Item

- 1551-41 Item 0456-04 of section two of chapter four hundred and eight of the acts of nineteen hundred and fifty-three is hereby amended by striking out, in line 5, the word "fifty-three" and inserting in place thereof the word: — fifty-four.

Special:

- 1551-42 For the cost of certain aerial photography, in co-operation with the production and marketing administration of the United States department of agriculture, and incidental expenses in connection therewith \$255 00

Service of the Department of Labor and Industries.

- 1651-06 Item 1651-06 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three is hereby amended by striking out, in line 9, the word "fifty-eight" and inserting in place thereof the word: — ninety-three \$100,000 00

Service of the Department of Correction.

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:

- 1812-01 State prison, including not more than one hundred and sixty-four permanent positions \$105,000 00

Service of the Department of Public Welfare.

- 1904-16 For administrative cost and for the reimbursement of cities and towns for total and permanent disability assistance, as provided by chapter one hundred and eighteen D of the General Laws, and for payments made in accordance with section three of said chapter one hundred and eighteen D \$514,508 00
- 1906-05 For tuition in the public schools, including transportation to and from school, of children boarded by the department, for the twelve months ending June thirtieth, nineteen hundred and fifty-three 55,000 00

Service of the Department of Public Health.

- 2026-00 Item 2026-00 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three is hereby amended by striking out the word "three", in line 2, and inserting in place thereof the words: — two hundred and forty-seven \$125,000 00

Service of the Department of Public Safety.

- 2104-11 For the building inspection service, including not more than thirty-one permanent positions \$16,320 00

Non-Contributory Pensions.

Item

2811-02	For the compensation of veterans who may be retired by the governor under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, and for the cost of medical examinations in connection therewith .	\$225,000 00
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Miscellaneous.

2820-16	For the payment of certain claims, as authorized by chapters six and seventeen of the resolves of the current year	\$3,586 30
2820-17	For the representation of the commonwealth at the convention of National Customs Service Association as authorized by chapter thirty-two of the resolves of the current year	500 00

APPROPRIATIONS MADE FROM THE HIGHWAY FUND.

Service of the Department of Public Works.

Highway Activities.

Expenditures made from the following appropriations for highway activities shall be coded according to a system established by the department of public works and the comptroller, with the approval of the joint committee on ways and means:

2900-04	For the maintenance and repair of state highways and bridges, traffic signs and signals, including the cost of snow and ice control on state highways and town roads and including traffic safety devices on town and city ways as the department may deem necessary; for work for which the Highway Fund is reimbursed other than work in connection with the projects included in federal aid programs; and for the purchase, construction and repair of shelters for departmental equipment and material, the cost of which is less than ten thousand dollars for each project; provided, that amounts made available by this item in any fiscal year shall be available for expenditure in the succeeding fiscal year .	\$350,000 00
	Special:	
2900-07	For the construction, improvement and maintenance by the department of public works of public roads in state forests, parks and reservations outside of the Metropolitan Parks districts, as authorized by chapter five hundred and sixty-three of the acts of nineteen hundred and fifty-two, as amended, to be in addition to any amount heretofore appropriated for the purpose	200,000 00

Item

2900-12 Item 2900-12 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three is hereby amended by striking out the wording and inserting in place thereof the following:—
For projects for improving state highways and through routes, including bridges, and including construction and reconstruction, it being the intent of the general court that state highways shall be made continuous whether or not sections to be made state highways require construction work; for turnouts or rest areas within highway rights of way, including contingent expenses therefor; and upon agreement with city or town officials, for construction of needed improvements on other through routes not designated as state highways and without acceptance by the commonwealth of responsibility for maintenance; provided, that any portion of the sum appropriated herein may be used in conjunction with city or town funds; and, provided further, that amounts made available by this item in any fiscal year shall be available for expenditure in the succeeding fiscal year \$1,250,000 00

Special:

2900-29 For the construction of a certain footbridge at Cove Street, Revere, as authorized by chapter five hundred and eighty-seven of the acts of nineteen hundred and fifty-three 40,000 00

Service of the Metropolitan District Commission.

2931-06 Item 2931-06 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three as amended by section two of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three is hereby further amended in the last line by adding after the word "cents" the words:—; and, further provided, that notwithstanding any other provision of law to the contrary, a certain claim of Oral Leavitt shall be paid for salary earned but not paid for the years nineteen hundred and forty-seven to nineteen hundred and fifty, inclusive, not to exceed eight hundred and thirty-eight dollars and thirty-nine cents.

Interest and Redemption of Debt.

2951-00 For the payment of interest on the direct debt of the commonwealth for the year nineteen hundred and fifty-four and previous years, to be in addition to the amounts appropriated in items 2410-00, 3180-02 and 3590-02 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three and items 2410-00 and 3180-02 of this act \$8,285 00

APPROPRIATIONS MADE FROM THE PORT OF BOSTON FUND.

Interest and Redemption of Debt.

Item

- | | | |
|---------|---|--|
| 3180-02 | } | From the unexpended balance remaining in item 3180-02 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three the sum of seventeen thousand four hundred and seventy-four dollars is hereby transferred and made available for the purposes of item 2410-00 of said section two of said chapter four hundred and eighty-nine. |
| 2410-00 | | |

APPROPRIATIONS MADE FROM THE VETERANS' SERVICES FUND.

Service of the Commissioner of Veterans' Services.

- | | | |
|---------|--|------------|
| 3501-03 | For the payment of annuities to certain disabled war veterans, as authorized by sections six A to six C, inclusive, of chapter one hundred and fifteen of the General Laws | \$5,000 00 |
|---------|--|------------|

Service of the Veterans' Bonus Commission.

- | | | |
|---------|---|------------|
| 3511-01 | For personal services and other expenses of the commission in connection with the payment of the veterans' bonus so-called, as authorized by chapter four hundred and forty of the acts of nineteen hundred and fifty-three; provided, that requisitions for persons to be employed under the provisions of this item shall be issued under the provisions of chapter thirty for periods not to exceed six months and may from time to time be renewed for like periods | \$6,500 00 |
|---------|---|------------|

Miscellaneous.

- | | | |
|---------|--|------------|
| | The following three items are for the current and the succeeding fiscal year: | |
| 3530-06 | For the representation of the commonwealth at the convention of the Yankee Division Veterans Association, as authorized by chapter eight of the resolves of the current year | \$5,000 00 |
| 3530-07 | For the representation of the commonwealth at the convention of the Gold Star Mothers, as authorized by a resolve of the current year | 1,000 00 |
| 3530-08 | For the representation of the commonwealth at the convention of The American Legion, as authorized by a resolve of the current year | 1,000 00 |

APPROPRIATIONS PAYABLE FROM REVENUE CREDITED TO THE OLD AGE ASSISTANCE FUND.

- | | |
|---------|--------------------|
| 3601-30 | This item omitted. |
|---------|--------------------|

Service of the Alcoholic Beverages Control Commission.

Item		
3604-01	For the service of the commission, including not more than sixty-five permanent positions	\$3,000 00

APPROPRIATIONS PAYABLE FROM THE METROPOLITAN DISTRICT COMMISSION FUNDS.

The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:

Metropolitan Parks, General.

8601-23	Item 8601-23 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three as amended by section two of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three is hereby further amended by striking out the wording and inserting in place thereof the following: For projects and improvements in connection with the development and maintenance of recreation areas, including a family recreation area in the vicinity of Carson beach in the city of Boston, and to supplement appropriations previously made in the Metropolitan District Parks Fund for the development of such areas; provided, that the provisions of section thirty A of chapter seven of the General Laws shall not apply to expenditures made from this item. This appropriation expires on June thirtieth, nineteen hundred and fifty-six	\$400,000 00
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Metropolitan Water System.

8902-00	For the maintenance and operation of the metropolitan water system, including the retirement of veterans under the provisions of the General Laws and including not more than five hundred and eighty permanent positions	\$55,000 00
	Special:	
8902-31	For expenses of the removal of existing shafts appurtenant to an abandoned water line across the Mystic River	75,000 00

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

2899-00	General Fund	\$20,316 00
2999-00	Highway Fund	11,147 00
3999-00	Mosquito Control Fund	273 00
8799-00	Metropolitan District North Sewage Fund	1,587 00

SECTION 3. Wherever, in section two of this act, it is provided that transfers shall be made from a fund, account or receipts, of a specific sum, a percentage of payments, or a sum equivalent to payments, such transfers of a specific sum shall be made upon the effective date of this act, and all others shall be made quarterly unless otherwise provided; except, that at the close of a fiscal year, the amount equivalent to payments in a continuing account shall be construed to mean the amount of such appropriation.

SECTION 4. No moneys appropriated under this act shall be expended for reimbursement for the expenses of meals for persons while traveling within or without the commonwealth at the expense thereof, unless such reimbursement is in accordance with rules and rates which are hereby authorized to be established from time to time by the commission on administration and finance.

SECTION 5. The allowance to state employees for expenses incurred by them in the operation of motor vehicles owned by them and used in the performance of their official duties shall not exceed seven cents a mile. No payment shall be made or obligation incurred for the garaging of any passenger vehicle owned by the commonwealth and operated by an employee thereof as transportation from his place or places of employment to the vicinity of his residence.

SECTION 6. Amounts included for permanent positions in sums appropriated in section two for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on ways and means, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the division of personnel and standardization, no part of sums so appropriated in section two shall be available for payment of salaries of any additional permanent position, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent position, notwithstanding any special or general act to the contrary; provided, that no vacancy occurring in any permanent position included in said schedules of permanent positions, excepting in the services of the legislature or the judiciary, or of institutions under the jurisdiction of the departments of mental health, correction, public welfare and public health, and the youth service board, the Soldiers' Home in Massachusetts and the Soldiers' Home in Holyoke, and excepting positions which are subject to appointment by the governor, with or without the consent of the council, may be filled in any manner without approval by the commission on administration and finance.

SECTION 7. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and fifty-four shall be available for the payment of such other forms of compensation as may be due under existing statutes, or under the provisions

of rules and regulations made in accordance with said statutes.

SECTION 8. All federal subventions and grants available to the commonwealth under any act of congress and not otherwise authorized to be received shall be paid into the treasury of the commonwealth; provided, however, that applications for such subventions and grants, and for transfers within such subventions and grants, shall be subject to the approval of the commission on administration and finance. All federal subventions and grants received by the commonwealth may be expended without specific appropriation if such expenditures are otherwise in accordance with law. All income, including federal subventions and grants, received by the commonwealth from or on account of veterans in payment for veterans' services, shall be credited to the veterans' services fund.

SECTION 9. No agency of the commonwealth receiving an appropriation under section two of this act shall make any expenditure for any bulletin regularly printed, mimeographed or prepared in any other way, whether for outside or inter-departmental circulation unless publication of such bulletin shall have been approved by the state purchasing agent.

SECTION 10. In the case of the reorganization of any department, or of the transfer of any function to or from any department, required by any act becoming effective during the fiscal year ending June thirtieth, nineteen hundred and fifty-four, the governor with the approval of the council, and upon recommendation of the budget commissioner and the head of the department so reorganized or the heads of the departments to and from which such function is transferred, may from time to time by transfer or otherwise make allocations for personal services and expenses to be incurred by such agents and agencies as shall exercise the powers and perform the duties given to them by such act, from the unexpended balance of the appropriations made available for the said fiscal year for the said transferred function or for any agency which by such act is abolished or merged with one or more agencies or whose functions are reduced; and in connection with such allocations may transfer the permanent positions provided for in the said appropriations.

SECTION 11. This act shall take effect upon its passage.
Approved April 1, 1954.

AN ACT RELATIVE TO FURTHER STAY OF JUDGMENT AND EXECUTION IN ACTIONS OF SUMMARY PROCESS. *Chap. 264*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to continue in operation the provisions of law relative to the stay of judgment and execution in actions of summary process, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Emergency
preamble.*

Be it enacted, etc., as follows:

Stays of
judgment,
regulated.

SECTION 1. Chapter 43 of the acts of 1946 is hereby amended by striking out section 1, as most recently amended by chapter 301 of the acts of 1950, and inserting in place thereof the following section: — *Section 1.* So long as this act continues in force, a stay or successive stays of judgment and execution may be granted under sections nine to thirteen, inclusive, of chapter two hundred and thirty-nine of the General Laws, for a period not exceeding twelve months or for periods not exceeding twelve months in the aggregate in cases where the premises are located in a city or town where rent control is in effect pursuant to chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-three, and for a period not exceeding six months or for periods not exceeding six months in the aggregate in cases where the premises are located in a city or town where rent control is not in effect; provided, however, that a stay of judgment and execution in the case of premises occupied by an employee of a farmer conditioned upon his employment by such farmer and which employment has been legally terminated, shall not be granted for a longer period than two months, in the aggregate.

SECTION 2. Section 2 of said chapter 43, as most recently amended by chapter 25 of the acts of 1952, is hereby further amended by striking out, in line 2, the word “fifty-four” and inserting in place thereof the word: — fifty-five, — so as to read as follows: — *Section 2.* This act shall become inoperative on March thirty-first, nineteen hundred and fifty-five.

Approved April 1, 1954.

Chap. 265 AN ACT REDEFINING THE WORD “EMPLOYER”, AS USED IN THE WORKMEN’S COMPENSATION LAW.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable immediately certain employers associated in a joint venture to be licensed jointly as a self-insurer under the workmen’s compensation law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 152, § 1,
amended.

Section 1 of chapter 152 of the General Laws is hereby amended by striking out paragraph (5) and inserting in place thereof the following paragraph: —

“Employer”,
defined.

(5) “Employer”, an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association, corporation or other legal entity, employing employees subject to this chapter.

Approved April 5, 1954.

AN ACT RELATIVE TO THE POWER OF BOILER AND MACHINERY INSURANCE COMPANIES TO MAKE INSPECTIONS. *Chap.266*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make effective without delay the power granted thereby to boiler and machinery insurance companies to make inspections, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Emergency preamble.

Be it enacted, etc., as follows:

Section 47 of chapter 175 of the General Laws is hereby amended by striking out clause Fifth, as appearing in the Tercentenary Edition, and inserting in place thereof the following clause: —

G. L. (Ter. Ed.), 175, § 47, amended.

Fifth, To insure against loss or damage to any property of the insured, and against legal liability for loss or damage on account of the bodily injury or death of any person or any damage to property of another, caused by the breakage, explosion or rupture of, or any accidental injury to, steam boilers and pipes and containers connected therewith, any lighting, heating or cooking apparatus or their connections, flywheels, power wheels, and engines or other apparatus for applying or transmitting motive or electrical power, tanks or other receptacles under pressure, or their connections, or machinery of any kind, and against loss of use and occupancy caused thereby; and against loss or damage caused by the interruption by any cause of electric current or of water or gas supply furnished by a public utility company or municipality; and to make inspections of boilers, machinery and apparatus of any kind, whether or not insured.

Certain inspections by boiler and machinery insurance companies, authorized.

Approved April 5, 1954.

AN ACT RELATIVE TO CERTAIN PROMOTIONS IN THE OFFICIAL SERVICE UNDER THE CIVIL SERVICE LAWS. *Chap.267*

Be it enacted, etc., as follows:

Section 15 of chapter 31 of the General Laws is hereby amended by striking out paragraph A, as most recently amended by section 1 of chapter 317 of the acts of 1952, and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 31, § 15, etc., amended.

A. An appointing authority, with the approval of the director, may promote in the same department or division of a department in the official service a permanent employee in one grade to the next higher grade as determined by the director; provided, that such employee has been employed after certification for at least three years in the lower grade, is the oldest employee, the second oldest employee or the third oldest employee in length of service, and that such employee passes a qualifying examination prescribed by the director. In case of promotions of more than one employee, the next oldest employees in succession in length of service may be selected from the same number of such

Certain promotions under civil service, authorized.

oldest employees as that provided in the civil service rules governing certification for more than one vacancy. This paragraph shall not apply in any case where a promotion is required to be made as provided in section twenty.

Approved April 5, 1954.

Chap.268 AN ACT RELATIVE TO CREDITABLE SERVICE IN THE RETIREMENT OF CERTAIN POLICE OFFICERS AND FIREMEN IN CERTAIN CITIES AND TOWNS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 32, new § 85I, added.

Creditable service in retirement of certain persons, allowed.

Chapter 32 of the General Laws is hereby amended by inserting after section 85H, inserted by section 2 of chapter 431 of the acts of 1952, the following section: — *Section 85I.* Notwithstanding the provisions of section eighty-five G, any member of a police or fire department of a city or town which accepts this section in the manner hereinafter provided who is hereafter retired under the provisions of sections eighty to eighty-five F, inclusive, and who was appointed a reserve police officer or a reserve or call fireman prior to July first, nineteen hundred and thirty-seven, may, for the purposes of such retirement, be accredited as a part of his continuous service such service as a reserve police officer or reserve or call fireman as the retiring authority shall determine.

This section shall take effect in a city having a Plan E charter when accepted by an affirmative vote of two thirds of the city council, and approved by the city manager; in the case of other cities by a two thirds vote of the city council and approved by the mayor; and in a town by a majority vote at the annual town meeting.

Approved April 5, 1954.

Chap.269 AN ACT TO EXTEND THE PERIOD FOR FILING APPLICATIONS FOR ABATEMENT OF PERSONAL INCOME TAX.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 62, § 43, etc., amended.

Applications for abatement of personal income tax, regulated.

Chapter 62 of the General Laws is hereby amended by striking out section 43, as most recently amended by section 46 of chapter 654 of the acts of 1953, and inserting in place thereof the following section: — *Section 43.* Any person who believes he has overpaid any tax imposed by this chapter may apply in writing to the state tax commission, hereinafter called the commission, on a form prescribed by it for an abatement of any such overpayment of tax at any time within three years from the last day for filing the return required by this chapter, or within one year after the date of such overpayment, whichever occurs later. If, after a hearing, or otherwise, the commission finds that the tax paid exceeds the amount due, it shall abate such excess. The state treasurer shall repay to the person assessed the amount of such abatement, with interest thereon at the rate of three per cent per annum from the time it was paid. The com-

mission shall notify the applicant by registered mail of its decision upon the application for abatement.

Approved April 5, 1954.

AN ACT PROVIDING FOR THE PROMPT PAYMENT OF ADDITIONAL CORPORATE EXCISE TAX FOUND DUE AFTER FINAL DETERMINATION OF FEDERAL NET INCOME.

Chap.270

Be it enacted, etc., as follows:

SECTION 1. Section 36 of chapter 63 of the General Laws, as most recently amended by section 57 of chapter 654 of the acts of 1953, is hereby further amended by striking out the first two sentences and inserting in place thereof the following sentence: — Any final determination of the federal net income made pursuant to the provisions of federal law under which such net income is found to differ from the net income originally reported to the federal government shall be reported, accompanied by payment by the corporation of any additional tax due with interest computed in accordance with section forty-eight, to the commissioner within seventy days of receipt by it of notice of such final determination, with a statement of the reasons for the difference in such detail as the commissioner may require.

G. L. (Ter. Ed.), 63, § 36, etc., amended.

Payment of additional corporate excise tax, regulated.

SECTION 2. Said section 36 of said chapter 63 is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 63, § 36, etc., further amended.

Any corporation failing to comply with the provisions contained in the first paragraph hereof shall be assessed a penalty in the sum of one hundred dollars, or ten per cent of the additional tax found due, whichever sum is smaller, said penalty to become part of the additional tax found due. For reasonable cause shown, the commission may, in its discretion, abate in whole or in part the penalty provided herein.

Penalties.

Approved April 5, 1954.

AN ACT RELATIVE TO SUPERVISION, CONTROL, APPROPRIATIONS, RECEIPTS AND EXPENDITURES PERTAINING TO ATHLETIC AND OTHER ORGANIZATIONS COMPOSED OF PUBLIC SCHOOL PUPILS AND ORGANIZED UNDER OR IN CONNECTION WITH THE SCHOOL NAME.

Chap.271

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by striking out section 47, as most recently amended by section 1 of chapter 316 of the acts of 1952, and inserting in place thereof the following section: — *Section 47.* The committee may supervise and control all athletic and other organizations composed of public school pupils and bearing the school name or organized in connection therewith. It may directly or through an authorized representative determine under what conditions the same may compete with similar organizations in other schools. Expenditures by the committee for

G. L. (Ter. Ed.), 71, § 47, etc., amended.

Supervision and control of certain school and athletic organizations.

the organization and conduct of physical training and exercises, athletics, sports, games and play, for providing proper apparatus, equipment, supplies, athletic wearing apparel, including appropriate souvenir garments and trophies, and facilities for the same in the buildings, yards and playgrounds under the control of the committee, or upon any other land which it may have the right or privilege to use for this purpose, and for the employment of experienced athletic directors to supervise said physical training and exercises, athletics, sports, games and play, shall be deemed to be for a school purpose. Cities and towns may appropriate for the employment of coaches to supervise in public schools physical training and exercises, athletics, sports, games and play, and for the transportation of public school athletic teams, coaches, cheerleaders, and bands bearing the school name, formed in pursuance of the school purposes authorized by this section, within and without the commonwealth to places where athletic contests or said physical exercises, sports, games, play or musical festivals or competitions are held, and for the purchase of uniforms and musical instruments for the members of bands composed of public school pupils and bearing the school name organized in conjunction with the school purposes as aforesaid. All receipts by the committee in connection with the conduct of activities provided for under this section shall be deposited with the treasurer of such town or, in cases where the town is a member of a regional school district, with the treasurer of such district and held as a separate account and expended by said school committee without further appropriation, notwithstanding the provisions of section fifty-three of chapter forty-four. No moneys may be expended from an appropriation or from the separate fund authorized by this section except upon the approval of the school committee, or of the selectmen in towns and of mayors in cities, for travel to other states.

Approved April 5, 1954.

Chap. 272 AN ACT REGULATING THE TIME FOR FILING CERTAIN STATEMENTS OF POLITICAL EXPENSES OF CANDIDATES FOR ELECTIVE OFFICE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 55, § 16, etc., amended.

Section 16 of chapter 55 of the General Laws, as appearing in section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out, in line 19, the word "fourteen" and inserting in place thereof the word: — sixteen.

Approved April 5, 1954.

AN ACT PROVIDING FOR ANNUAL AUDITS OF THE ACCOUNTS OF REGIONAL HEALTH DISTRICTS BY THE BUREAU OF ACCOUNTS OF THE DEPARTMENT OF CORPORATIONS AND TAXATION. Chap.273

Be it enacted, etc., as follows:

The fifth paragraph of section 27B of chapter 111 of the General Laws, inserted by section 1 of chapter 600 of the acts of 1953, is hereby further amended by striking out, in the last sentence, the word "division" and inserting in place thereof the word: — bureau. G. L. (Ter. Ed.), 111, § 27B, etc., amended.

Approved April 5, 1954.

AN ACT RELATIVE TO THE SERVICE CHARGES FOR SECURING MOTOR VEHICLE LIABILITY INSURANCE FOR CERTAIN PERSONS. Chap.274

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 113H, inserted by section 5 of chapter 570 of the acts of 1953, the following section: — *Section 113I.* The commissioner shall fix and establish a schedule of fair and reasonable service charges, together with enabling rules and regulations, in connection with the securing or placing of motor vehicle liability insurance under the plan of apportionment provided for under the provisions of section one hundred and thirteen H. Whenever any person duly licensed under any provision of this chapter fails to comply with such promulgations, the commissioner, for cause shown and after a hearing, shall suspend his license for such period of time as he in his discretion deems feasible. G. L. (Ter. Ed.), 175, new § 113I, added.
Service charges for securing motor vehicle liability insurance, regulated.

Approved April 5, 1954.

AN ACT RELATING TO INDIVIDUAL ACCIDENT AND HEALTH INSURANCE POLICIES. Chap.275

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by striking out section 108, as most recently amended by chapter 607 of the acts of 1947, and inserting in place thereof the following section: — *Section 108.* 1. The term "policy of accident and sickness insurance" as used herein includes any policy or contract covering the kind or kinds of insurance described in subdivisions (a) and (d) of the sixth paragraph of section forty-seven. G. L. (Ter. Ed.), 175, § 108, etc., amended.
Accident and health insurance policies, approval and contents.

2. (a) No policy of accident and sickness insurance shall be delivered or issued for delivery to any person in this commonwealth: until a copy of the policy and the table of rates or manual of risks of the company has been on file with the commissioner for at least thirty days, unless before the expiration of said thirty days the commissioner shall have approved the policy in writing; nor if the commissioner noti-

fies the company in writing that in his opinion the form of said policy does not comply with the laws of the commonwealth, specifying the reasons for his opinion, provided that such action of the commissioner shall be subject to review by the supreme judicial court; nor unless:

(1) The entire money and other considerations therefor are expressed therein; and

(2) The time at which the insurance takes effect and terminates is expressed therein; and

(3) It purports to insure only one person, except that a policy may insure, originally or by subsequent amendment, upon the application of an adult member of a family who shall be deemed the policyholder, any two or more eligible members of that family, including husband, wife, dependent children or any children under a specified age which shall not exceed nineteen years and any other person dependent upon the policyholder; and

(4) The style, arrangement and over-all appearance of the policy give no undue prominence to any portion of the text, and unless every printed portion of the text of the policy and of any endorsements or attached papers is plainly printed in light-faced type of a style in general use, the size of which shall be uniform and not less than ten-point with a lower-case unspaced alphabet length not less than one hundred and twenty-point (the text shall include all printed matter except the name and address of the insurer, name or title of the policy, the brief description if any, and captions and subcaptions); and

(5) The exceptions and reductions of indemnity are set forth in the policy and, except those which are set forth in paragraph three, are printed, at the insurer's option, either included with the benefit provision to which they apply, or under an appropriate caption such as "EXCEPTIONS", or "EXCEPTIONS AND REDUCTIONS"; provided, that if an exception or reduction specifically applies only to a particular benefit of the policy, a statement of such exception or reduction shall be included with the benefit provision to which it applies; and

(6) Each such form, including riders and endorsements, shall be identified by a form number in the lower left-hand corner of the first page thereof; and

(7) It contains no provision purporting to make any portion of the charter, rules, constitution, or by-laws of the insurer a part of the policy unless such portion is set forth in full in the policy, except in the case of the incorporation of, or reference to, a statement of rates or classification of risks, or short-rate table filed with the commissioner.

(b) If any policy is issued by an insurer domiciled in this commonwealth for delivery to a person residing in another state, and if the official having responsibility for the administration of the insurance laws of such other state shall have advised the commissioner that any such policy is not subject to approval or disapproval by such official, the commissioner

may by ruling require that such policy meet the standards set forth in paragraph (a) and in subdivision three.

3. (a) Except as provided in paragraph (c) of this subdivision each such policy delivered or issued for delivery to any person in the commonwealth shall contain the provisions specified in this paragraph in the words in which they appear; provided, however, that the insurer may, at its option, substitute for one or more of such provisions corresponding provisions of different wording approved by the commissioner which are in each instance not less favorable in any respect to the insured or the beneficiary. Such provisions shall be preceded individually by the caption appearing in this paragraph or, at the option of the insurer, by such appropriate individual or group captions or subcaptions as the commissioner may approve.

(1) *Entire Contract; Changes.* — This policy, including the endorsements and the attached papers, if any, constitutes the entire contract of insurance. No change in this policy shall be valid until approved by an executive officer of the insurer and unless such approval be endorsed hereon or attached hereto. No agent has authority to change this policy or to waive any of its provisions.

(2) *Time Limit on Certain Defenses.* — After two years from the date of issue of this policy no misstatements, except fraudulent misstatements, made by the applicant in the application for such policy shall be used to void the policy or to deny a claim for loss incurred or disability as defined in the policy commencing after the expiration of such two-year period.

The foregoing policy provision shall not be so construed as to affect any legal requirement for avoidance of a policy or denial of a claim during such initial two-year period, nor to limit the application of provisions (1) to (5), inclusive, of paragraph (b) of this subdivision, in the event of misstatement with respect to age or occupation or other insurance.

A policy which the insured has the right to continue in force subject to its terms by the timely payment of premium until at least age fifty, or, in the case of a policy issued after age forty-four, for at least five years from its date of issue, may contain in lieu of the foregoing provision the following provision from which the clause in parentheses may be omitted at the insurer's option, under the caption "INCONTESTABLE": —

After this policy has been in force for a period of two years during the lifetime of the insured (excluding any period during which the insured is disabled), it shall become incontestable as to the statements contained in the application.

No claim for loss incurred or disability (as defined in the policy) commencing after three years from the date of issue of this policy shall be reduced or denied on the

ground that a disease or physical condition not excluded from coverage by name or specific description effective on the date of loss had existed prior to the effective date of coverage of this policy.

(3) *Grace Period.* — A grace period of [insert a number not less than "7" for weekly premium policies, "10" for monthly premium policies and "31" for all other policies] days will be granted for the payment of each premium falling due after the first premium during which grace period the policy shall continue in force.

A policy which contains a cancellation provision may add, at the end of the above provision, the following: — subject to the right of the insurer to cancel in accordance with the cancellation provision hereof.

A policy in which the insurer reserves the right to refuse any renewal shall have, at the beginning of the above provision: —

Unless not less than five days prior to the premium due date the insurer has delivered to the insured or has mailed to his last address as shown by the records of the insurer written notice of its intention not to renew this policy beyond the period for which the premium has been accepted.

(4) *Reinstatement.* — If any renewal premium be not paid within the time granted the insured for payment, a subsequent acceptance of premium by the insurer or by any agent duly authorized by the insurer to accept such premium, without requiring in connection therewith an application for reinstatement, shall reinstate the policy; provided, however, that if the insurer or such agent requires an application for reinstatement and issues a conditional receipt for the premium tendered, the policy will be reinstated upon approval of such application by the insurer or, lacking such approval, upon the forty-fifth day following the date of such conditional receipt unless the insurer has previously notified the insured in writing of its disapproval of such application. The reinstated policy shall cover only loss resulting from such accidental injury as may be sustained after the date of reinstatement and loss due to such sickness as may begin more than ten days after such date. In all other respects the insured and insurer shall have the same rights thereunder as they had under the policy immediately before the due date of the defaulted premium, subject to any provisions endorsed hereon or attached hereto in connection with the reinstatement. Any premium accepted in connection with a reinstatement shall be applied to a period for which premium has not been previously paid, but not to any period more than sixty days prior to the date of reinstatement.

The last sentence of the above provision may be omitted from any policy which the insured has the right to continue in force subject to its terms by the timely payment of pre-

miums until at least age fifty, or, in the case of a policy issued after age forty-four, for at least five years from its date of issue.

(5) *Notice of Claim.* — Written notice of claim must be given to the insurer within twenty days after the occurrence or commencement of any loss covered by the policy, or as soon thereafter as is reasonably possible. Notice given by or on behalf of the insured or the beneficiary to the insurer at [insert the location of such office as the insurer may designate for the purpose] or to any authorized agent of the insurer, with information sufficient to identify the insured, shall be deemed notice to the insurer.

In a policy providing a loss-of-time benefit which may be payable for at least two years, an insurer may at its option insert after the first sentence of provision (5) the following three sentences: —

Subject to the qualifications set forth below, if the insured suffers loss of time on account of disability for which indemnity may be payable for at least two years, he shall, at least once in every six months after having given notice of claim, give to the insurer notice of continuance of said disability, except in the event of legal incapacity. The period of six months following any filing of proof by the insured or any payment by the insurer on account of such claim or any denial of liability in whole or in part by the insurer shall be excluded in applying this provision. Delay in the giving of such notice shall not impair the insured's right to any indemnity which would otherwise have accrued during the period of six months preceding the date on which such notice is actually given.

(6) *Claim Forms.* — The insurer, upon receipt of a notice of claim, will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss. If such forms are not furnished within fifteen days after the giving of such notice the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting, within the time fixed in the policy for filing proofs of loss, written proof covering the occurrence, the character and the extent of the loss for which claim is made.

(7) *Proof of Loss.* — Written proof of loss must be furnished to the insurer at its said office in case of claim for loss for which this policy provides any periodic payment contingent upon continuing loss within ninety days after the termination of the period for which the insurer is liable and in case of claim for any other loss within ninety days after the date of such loss. Failure to furnish such proof within the time required shall not invalidate nor reduce any claim if it was not reasonably possible to give proof within such time, provided such proof is furnished as soon as reasonably possible and in no event, except in the ab-

sence of legal capacity, later than one year from the time proof is otherwise required.

(8) *Time of Payment of Claims.* — Indemnities payable under this policy for any loss other than loss for which this policy provides any periodic payment will be paid immediately upon receipt of due written proof of such loss. Subject to due written proof of loss, all accrued indemnities for loss for which this policy provides periodic payment will be paid [insert period for payment which must not be less frequently than monthly] and any balance remaining unpaid upon the termination of liability will be paid immediately upon receipt of due written proof.

(9) *Payment of Claims.* — Indemnity for loss of life will be payable in accordance with the beneficiary designation and the provisions respecting such payment which may be prescribed herein and effective at the time of payment. If no such designation or provision is then effective, such indemnity shall be payable to the estate of the insured. Any other accrued indemnities unpaid at the insured's death may, at the option of the insurer, be paid either to such beneficiary or to such estate. All other indemnities will be payable to the insured.

The following two paragraphs, or either of them, may be added to provision (9) at the option of the insurer: —

If any indemnity of this policy shall be payable to the estate of the insured, or to an insured or beneficiary who is a minor or otherwise not competent to give a valid release, the insurer may pay such indemnity, up to an amount not exceeding [insert an amount which shall not exceed \$1,000], to any relative by blood or connection by marriage of the insured or beneficiary who is deemed by the insurer to be equitably entitled thereto. Any payment made by the insurer in good faith pursuant to this provision shall fully discharge the insurer to the extent of such payment.

Subject to any written direction of the insured in the application or otherwise all or a portion of any indemnities provided by this policy on account of hospital, nursing, medical, or surgical services may, at the insurer's option and unless the insured requests otherwise in writing not later than the time of filing proofs of such loss, be paid directly to the hospital or person rendering such services; but it is not required that the service be rendered by a particular hospital or person.

(10) *Physical Examinations.* — The insurer at its own expense shall have the right and opportunity to examine the person of the insured when and as often as it may reasonably require during the pendency of a claim hereunder.

(11) *Legal Actions.* — No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after written proof of loss has been furnished in accordance with the requirements of this policy. No such action shall be brought after the expiration of three

years after the time written proof of loss is required to be furnished.

(12) *Change of Beneficiary.* — Unless the insured makes an irrevocable designation of beneficiary, the right to change of beneficiary is reserved to the insured and the consent of the beneficiary or beneficiaries shall not be requisite to surrender or assignment of this policy or to any change of beneficiary or beneficiaries, or to any other changes in this policy.

The first clause of provision (12), relating to the irrevocable designation of beneficiary, may be omitted at the insurer's option.

(b) Except as provided in paragraph (c) of this subdivision, no such policy delivered or issued for delivery to any person in this commonwealth shall contain provisions respecting the matters set forth below unless they are in the words in which the same appear in this paragraph; provided, however, that the insurer may, at its option, use in lieu of any such provision a corresponding provision of different wording approved by the commissioner which is not less favorable in any respect to the insured or the beneficiary. Any such provision contained in the policy shall be preceded individually by the appropriate caption appearing in this paragraph or, at the option of the insurer, by such appropriate individual or group captions or subcaptions as the commissioner may approve.

(1) *Change of Occupation.* — If the insured be injured or contract sickness after having changed his occupation to one classified by the insurer as more hazardous than that stated in this policy or while doing for compensation anything pertaining to an occupation so classified, the insurer will pay only such portion of the indemnities provided in this policy as the premium paid would have purchased at the rates and within the limits fixed by the insurer for such more hazardous occupation. If the insured changes his occupation to one classified by the insurer as less hazardous than that stated in this policy, the insurer, upon receipt of proof of such change of occupation, will reduce the premium rate accordingly, and will return the excess pro-rata unearned premium from the date of change of occupation or from the policy anniversary date immediately preceding receipt of such proof, whichever is the more recent. In applying this provision, the classification of occupational risk and the premium rates shall be such as have been last filed by the insurer prior to the occurrence of the loss for which the insurer is liable or prior to date of proof of change in occupation with the state official having supervision of insurance in the state where the insured resided at the time this policy was issued; but if such filing was not required, then the classification of occupational risk and the premium rates shall be those last made effective by the insurer in such state prior to

the occurrence of the loss or prior to the date of proof of change in occupation.

(2) *Misstatement of Age.* — If the age of the insured has been misstated, all amounts payable under this policy shall be such as the premium paid would have purchased at the correct age.

(3) *Other Insurance in This Insurer.* — If an accident or sickness or accident and sickness policy or policies previously issued by the insurer to the insured be in force concurrently herewith, making the aggregate indemnity for [insert type of coverage or coverages] in excess of [insert maximum limit of indemnity or indemnities] the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured or to his estate.

or, in lieu thereof: —

Insurance effective at any one time on the insured under a like policy or policies in this insurer is limited to the one such policy elected by the insured, his beneficiary or his estate, as the case may be, and the insurer will return all premiums paid for all other such policies.

(4) *Insurance with Other Insurers.* — If there be other valid coverage, not with this insurer, providing benefits for the same loss on a provision of service basis or on an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss, the only liability under any expense incurred coverage of this policy shall be for such proportion of the loss as the amount which would otherwise have been payable hereunder plus the total of the like amounts under all such other valid coverages for the same loss of which this insurer had notice bears to the total like amounts under all valid coverages for such loss, and for the return of such portion of the premiums paid as shall exceed the pro-rata portion for the amount so determined. For the purpose of applying this provision when other coverage is on a provision of service basis, the like amount of such other coverage shall be taken as the amount which the services rendered would have cost in the absence of such coverage.

If the above policy provision (4) is included in a policy which also contains the next following policy provision there shall be added to the caption of said provision (4) the phrase — EXPENSE INCURRED BENEFITS. The insurer may, at its option, include in this provision a definition of other valid coverage, approved as to form by the commissioner, which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, and by hospital or medical service organizations, and to any other coverage the inclusion of which may be approved by the

commissioner. In the absence of such definition such term shall not include group insurance, automobile medical payments insurance, or coverage provided by hospital or medical service organizations or by union welfare plans or employer or employee benefit organizations. For the purpose of applying policy provision (4) with respect to any insured, any amount of benefit provided for such insured pursuant to any compulsory benefit statute including any workmen's compensation or employer's liability statute whether provided by a governmental agency or otherwise shall in all cases be deemed to be other valid coverage of which the insurer has had notice. In applying said policy provision (4) no third party liability coverage shall be included as other valid coverage.

(5) *Insurance with Other Insurers.* — If there be other valid coverage, not with this insurer, providing benefits for the same loss on other than an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss, the only liability for such benefits under this policy shall be for such proportion of the indemnities otherwise provided hereunder for such loss as the like indemnities of which the insurer had notice (including the indemnities under this policy) bear to the total amount of all like indemnities for such loss, and for the return of such portion of the premium paid as shall exceed the pro-rata portion for the indemnities thus determined.

If policy provision (5) is included in a policy which also contains policy provision (4) there shall be added to the caption of said provision (5) the phrase — OTHER BENEFITS. The insurer may, at its option, include in this provision a definition of other valid coverage, approved as to form by the commissioner, which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, and to any other coverage the inclusion of which may be approved by the commissioner. In the absence of such definition such term shall not include group insurance, or benefits provided by union welfare plans or by employer or employee benefit organizations. For the purpose of applying said policy provision (5) with respect to any insured, any amount of benefit provided for such insured pursuant to any compulsory benefit statute including any workmen's compensation or employer's liability statute whether provided by a governmental agency or otherwise shall in all cases be deemed to be other valid coverage of which the insurer has had notice. In applying the said policy provision (5) no third party liability coverage shall be included as other valid coverage.

(6) *Relation of Earnings to Insurance.* — If the total monthly amount of loss of time benefits promised for the

same loss under all valid loss of time coverage upon the insured, whether payable on a weekly or monthly basis, shall exceed the monthly earnings of the insured at the time disability commenced or his average monthly earnings for the period of two years immediately preceding a disability for which claim is made, whichever is the greater, the insurer will be liable only for such proportionate amount of such benefits under this policy as the amount of such monthly earnings or such average monthly earnings of the insured bears to the total amount of monthly benefits for the same loss under all such coverage upon the insured at the time such disability commences and for the return of such part of the premiums paid during such two years as shall exceed the pro-rata amount of the premiums for the benefits actually paid hereunder; but this shall not operate to reduce the total monthly amount of benefits payable under all such coverage upon the insured below the sum of two hundred dollars or the sum of the monthly benefits specified in such coverages, whichever is the lesser, nor shall it operate to reduce benefits other than those payable for loss of time.

The above policy provision (6) may be inserted only in a policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums until at least age fifty, or, in the case of a policy issued after age forty-four, for at least five years from its date of issue. The insurer may, at its option, include in said provision a definition of valid loss of time coverage, approved as to form by the commissioner, which definition shall be limited in subject matter to coverage provided by governmental agencies or by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, or to any other coverage the inclusion of which may be approved by the commissioner or any combination of such coverages. In the absence of such definition such term shall not include any coverage provided for such insured pursuant to any compulsory benefit statute including any workmen's compensation or employer's liability statute, or benefits provided by union welfare plans or by employer or employee benefit organizations.

(7) *Unpaid Premium.* — Upon the payment of a claim under this policy, any premium then due and unpaid or covered by any note or written order may be deducted therefrom.

(8) *Cancellation.* — The insurer may cancel this policy at any time by written notice delivered to the insured, or mailed to his last address as shown by the records of the insurer, stating when, not less than five days thereafter, such cancellation shall be effective; and after the policy has been continued beyond its original term the insured may cancel this policy at any time by written notice de-

livered or mailed to the insurer, effective upon receipt or on such later date as may be specified in such notice. In the event of cancellation, the insurer will return promptly the unearned portion of any premium paid. If the insured cancels, the earned premium shall be computed by the use of the short-rate table last filed with the state official having supervision of insurance in the state where the insured resided when the policy was issued. If the insurer cancels, the earned premium shall be computed pro-rata. Cancellation shall be without prejudice to any claim originating prior to the effective date of cancellation.

(9) *Conformity with State Statutes.* — Any provision of this policy which, on its effective date, is in conflict with the statutes of the state in which the insured resides on such date is hereby amended to conform to the minimum requirements of such statutes.

(10) *Illegal Occupation.* — The insurer shall not be liable for any loss to which a contributing cause was the insured's commission of or attempt to commit a felony or to which a contributing cause was the insured's being engaged in an illegal occupation.

(11) *Intoxicants and Narcotics.* — The insurer shall not be liable for any loss sustained or contracted in consequence of the insured's being intoxicated or under the influence of any narcotic unless administered on the advice of a physician.

(c) If any provision of this paragraph is in whole or part inapplicable to or inconsistent with the coverage provided by a particular form of policy the insurer, with the approval of the commissioner, shall omit from such policy any inapplicable provision or part of a provision, and shall modify any inconsistent provision or part of the provision in such manner as to make the provision as contained in the policy consistent with the coverage provided by the policy.

(d) The provisions which are the subject of paragraphs (a) and (b) of this subdivision or any corresponding provisions which are used in lieu thereof in accordance with such paragraphs shall be printed in the consecutive order of the provisions in such paragraphs or, at the option of the insurer, any such provision may appear as a unit in any part of the policy, with other provisions to which it may be logically related, provided the resulting policy shall not be in whole or in part unintelligible, uncertain, ambiguous, abstruse, or likely to mislead a person to whom the policy is offered, delivered or issued.

(e) The word insured, as used in this section, shall not be construed as preventing a person other than the insured with a proper insurable interest from making application for and owning a policy covering the insured or from being entitled under such a policy to any indemnities, benefits and rights provided therein.

(f) (1) Any policy of a foreign or alien insurer, when delivered or issued for delivery to any person in this common-

wealth, may contain any provision which is not less favorable to the insured or the beneficiary than the provisions of this section and which is prescribed or required by the law of the state under which the insurer is organized.

(2) Any policy of a domestic insurer may, when issued for delivery in any other state or country, contain any provision permitted or required by the laws of such other state or country.

(g) The commissioner may make such reasonable rules and regulations concerning the procedure for the filing or submission of policies subject to this section as are necessary, proper or advisable to the administration of this section. This provision shall not abridge any other authority granted the commissioner by law.

4. (a) No policy provision which is not subject to subdivision three of this section shall make a policy, or any portion thereof, less favorable in any respect to the insured or the beneficiary than the provisions thereof which are subject to this section.

(b) A policy delivered or issued for delivery to any person in this commonwealth in violation of this section shall be held valid but shall be construed as provided in this section. When any provision in a policy subject to this section is in conflict with any provision of this section, the rights, duties and obligations of the insurer, the insured and the beneficiary shall be governed by the provisions of this section.

5. (a) The insured shall not be bound by any statement made in an application for a policy unless a copy of such application is attached to or endorsed on the policy when issued as a part thereof. If any such policy delivered or issued for delivery to any person in the commonwealth shall be reinstated or renewed, and the insured or the beneficiary or assignee of such policy shall make written request to the insurer for a copy of the application, if any, for such reinstatement or renewal, the insurer shall within fifteen days after the receipt of such request at its home office or any branch office of the insurer, deliver or mail to the person making such request, a copy of such application. If such copy shall not be so delivered or mailed, the insurer shall be precluded from introducing such application as evidence in any action or proceeding based upon or involving such policy or its reinstatement or renewal.

(b) No alteration of any written application for any such policy shall be made by any person other than the applicant without his written consent, except that insertions may be made by the insurer, for administrative purposes only, in such manner as to indicate clearly that such insertions are not to be ascribed to the applicant.

(c) The falsity of any statement in the application for any policy covered by this section may not bar the right to recovery thereunder unless such false statement materially affected either the acceptance of the risk or the hazard assumed by the insurer.

6. The acknowledgment by any insurer of the receipt of notice given under any policy covered by this section, or the furnishing of forms for filing proofs of loss, or the acceptance of such proofs, or the investigation of any claim thereunder shall not operate as a waiver of any of the rights of the insurer in defense of any claim arising under such policy.

7. If any such policy contains a provision establishing, as an age limit or otherwise, a date after which the coverage provided by the policy will not be effective, and if such date falls within a period for which premium is accepted by the insurer or if the insurer accepts a premium after such date, the coverage provided by the policy will continue in force subject to any right of cancellation until the end of the period for which premium has been accepted. In the event the age of the insured has been misstated and if, according to the correct age of the insured, the coverage provided by the policy would not have become effective, or would have ceased prior to the acceptance of such premium or premiums, then the liability of the insurer shall be limited to the refund, upon request, of all premiums paid for the period not covered by the policy.

8. Nothing in this section shall apply to or affect any policy of workmen's compensation insurance or any policy of liability insurance with or without supplementary expense coverage therein; or any policy or contract of reinsurance; or any blanket or group policy of insurance; or life insurance, endowment or annuity contracts, or contracts supplemental thereto which contain only such provisions relating to accident and sickness insurance as provide additional benefits in case of death or dismemberment or loss of sight by accident, or as operate to safeguard such contracts against lapse, or to give a special surrender value or special benefit or an annuity in the event that the insured or annuitant shall become totally and permanently disabled, as defined by the contract or supplemental contract.

Nothing herein shall be construed to prevent the approval and use of a policy containing multiple optional benefits and the provisions applicable thereto; provided, that such policy otherwise complies with the provisions of this section; and provided, further, that the schedule of benefits be set forth on the first page of the policy; and provided, further, that there shall appear on the filing back of the policy and also on the first page thereof a reference to such schedule of benefits.

A. The commissioner may, within thirty days after the filing of a copy or form of such a policy, disapprove such form of policy if the benefits provided therein are unreasonable in relation to the premium charged, or if it contains any provision which is unjust, unfair, inequitable, misleading or deceptive, or which encourages misrepresentation as to such policy. If the commissioner shall notify the insurer which has filed any such form that it does not comply with the provisions of this section it shall be unlawful thereafter

for such insurer to issue such form or use it in connection with any policy. In such notice the commissioner shall specify the reasons for his disapproval and state that a hearing will be granted within twenty days after request in writing by the insurer.

B. The commissioner may at any time after a hearing, of which not less than twenty days written notice shall have been given to the insurer, withdraw his approval of any such form on any of the grounds stated in paragraph A of this subdivision. It shall be unlawful for the insurer to issue such form or use it in connection with any policy after the effective date of such withdrawal of approval. The notice of any such hearing shall specify the matters to be considered at such hearing and any decision affirming disapproval or directing withdrawal of approval under this section shall be in writing and shall specify the reasons therefor.

C. Any person or company aggrieved by any action, order, finding or decision of the commissioner under paragraph B of this subdivision may, within twenty days from the filing of a memorandum thereof in his office, file a petition in the supreme judicial court for the county of Suffolk for a review of such action, order, finding or decision. The action, order, finding or decision of the commissioner shall remain in full force and effect pending the final decision of the court unless the court or a justice thereof after notice to the commissioner shall by a special order otherwise direct. The court shall have jurisdiction in equity to modify, amend, annul, review or affirm such action, order, finding or decision, shall review all questions of fact and of law involved therein and may make any appropriate order or decree.

G. L. (Ter.
Ed.), 175,
§ 109, repealed.

SECTION 2. Section one hundred and nine of chapter one hundred and seventy-five of the General Laws is hereby repealed.

G. L. (Ter.
Ed.), 175,
§ 110, etc.,
amended.

SECTION 3. Subdivision (A) of section 110 of said chapter 175, as appearing in section 1 of chapter 532 of the acts of 1952, is hereby amended by striking out, in lines 1 and 2, the words "sections one hundred and eight and one hundred and nine" and inserting in place thereof the words:— section one hundred and eight.

Proviso.

SECTION 4. A policy, rider or endorsement, which could have been lawfully used or delivered or issued for delivery to any person in the commonwealth immediately before the effective date of this act may be used or delivered or issued for delivery to any such person during two years after the effective date of this act, notwithstanding the provisions of subdivisions two, three and four of section one hundred and eight of chapter one hundred and seventy-five of the General Laws, as amended by section one of this act.

Effective
date.

SECTION 5. This act shall take effect on January first, nineteen hundred and fifty-five.

Approved April 5, 1954.

AN ACT PERTAINING TO THE DEPOSIT OF FUNDS OF MEDICAL SERVICE CORPORATIONS IN CO-OPERATIVE BANKS. *Chap.276*

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 176B of the General Laws, as most recently amended by section 1 of chapter 394 of the acts of 1950, is hereby further amended by adding at the end of the first sentence the words: — or on paid-up shares and accounts of and in a co-operative bank, — so that the first sentence will read as follows: — The funds of a medical service corporation shall be invested only in such securities as are permitted by chapter one hundred and seventy-five for the investment of the capital of insurance companies or in the purchase of share accounts of a federal savings and loan association located in the commonwealth in an amount not in excess of ten per cent of the combined surplus and contingent surplus, or it may deposit the whole or any portion of its funds in any savings bank or savings department of a trust company organized under the laws of the commonwealth or a national banking association or on paid-up shares and accounts of and in a co-operative bank.

G. L. (Ter. Ed.), 176B, § 10, etc., amended.

Deposit of funds of medical service corporations, regulated.

SECTION 2. Section 11 of chapter 176C of the General Laws, as most recently amended by section 2 of chapter 394 of the acts of 1950, is hereby further amended by inserting after the word “by”, in line 4, the words: — depositing on paid-up shares and accounts of and in co-operative banks, or by, — so as to read as follows: — *Section 11.* The funds of any corporation subject to this chapter shall be kept only in banks in which funds of the commonwealth are authorized to be deposited, or by depositing on paid-up shares and accounts of and in co-operative banks, or by investing in share accounts of federal savings and loan associations located in this commonwealth in accordance with the authority and limitations specified in section ten of chapter one hundred and seventy-six B.

G. L. (Ter. Ed.), 176C, § 11, etc., amended.

Same subject.

Approved April 5, 1954.

AN ACT PERTAINING TO THE INVESTMENT BY FRATERNAL BENEFIT SOCIETIES IN CO-OPERATIVE BANKS. *Chap.277*

Be it enacted, etc., as follows:

The first sentence of section 18 of chapter 176 of the General Laws, as appearing in section 2 of chapter 336 of the acts of 1941, is hereby amended by striking out, in lines 7 and 8, the words “shares of co-operative banks” and inserting in place thereof the words: — paid-up shares and accounts of and in co-operative banks, — so as to read as follows: — Every society shall invest its funds in securities permitted by chapter one hundred and seventy-five for the investment of the capital of insurance companies, except that it may invest an amount not exceeding ten per cent of its funds in the shares of federal savings and loan associations

G. L. (Ter. Ed.), 176, § 18, etc., amended.

Investments by fraternal benefit societies, regulated.

located in the commonwealth and, in addition, an amount not exceeding ten per cent in paid-up shares and accounts of and in co-operative banks chartered by the commonwealth, and may deposit any of its funds in any savings bank, or savings department of a trust company, chartered under the laws of the commonwealth; provided, that any foreign society permitted or seeking to do business in the commonwealth may invest its funds in accordance with the laws of the state where it is incorporated; and provided, further, that a part thereof, not exceeding twenty per cent of its death fund, may be invested in a building for use and occupation by the society as its home office; and that a society having branches situated in the Dominion of Canada may invest a part of its death fund in the public funds of the Dominion of Canada, or of any province of the Dominion of Canada, not exceeding in the aggregate an amount equal to the sum of its collected premiums for the four months last past.

Approved April 5, 1954.

Chap. 278 AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO ERECT A NEW STANDPIPE IN THE WEST ROXBURY DISTRICT OF THE CITY OF BOSTON AND TO CONSTRUCT A WATER MAIN TO THE TOWN OF NORWOOD.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, herein-after called the commission, is hereby authorized and directed, upon the execution of an agreement admitting the town of Norwood to membership in the metropolitan water district, in accordance with the provisions of chapter ninety-two of the General Laws, to erect a new standpipe adjacent to its existing Bellevue standpipe in the West Roxbury district of Boston, and to construct a water main to the town of Norwood for the purpose of furnishing the town of Norwood with an adequate water supply.

SECTION 2. In carrying out the provisions of section one, said commission may expend, not exceeding, in the aggregate, one million five hundred thousand dollars.

SECTION 3. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate the sum of one million five hundred thousand dollars. All bonds issued by the commonwealth as aforesaid shall be designated on the face Metropolitan District Water Main Loan, Act of 1954, and shall be on the serial payment plan for such maximum term of years not exceeding thirty years from the date of issue as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the

maturities thereof to be so arranged that the amounts payable in the several years other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest payable semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. Such bonds shall be payable not earlier than July first, nineteen hundred and fifty-five, nor later than June thirtieth, nineteen hundred and eighty-five. All interest payments and payments on account of principal on such obligations shall be part of the debt and expense of the metropolitan water district.

SECTION 4. This act shall take effect upon its passage.

Approved April 6, 1954.

AN ACT FURTHER DEFINING WAGES UNDER THE EMPLOYMENT SECURITY LAW. *Chap.279*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make effective immediately the definition of wages under the employment security law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Subsection (s) of section 1 of chapter 151A of the General Laws, as most recently amended by section 1 of chapter 763 of the acts of 1951, is hereby further amended by striking out, in lines 1 to 3, inclusive, the words "(s) 'Wages', every form of remuneration of an employee subject to this chapter for employment by an employer; except that such term shall not include —" and inserting in place thereof the following: —

G. L. (Ter.
Ed.), 151A,
§ 1, etc.,
amended.

(s) "Wages", every form of remuneration of an employee subject to this chapter for employment by an employer, whether paid directly or indirectly, including salaries, commissions and bonuses, and reasonable cash value of board, rent, housing, lodging, payment in kind and all remuneration paid in any medium other than cash; except that such term shall not include —

"Wages",
defined.

SECTION 2. This act shall take effect as of January first, nineteen hundred and fifty-four. *Approved April 6, 1954.*

Effective
date.

AN ACT EXTENDING COVERAGE UNDER THE EMPLOYMENT SECURITY LAW. *Chap.280*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make effective immediately the coverage of certain persons under the employment security law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 151A, § 6,
etc., amended.

SECTION 1. Section 6 of chapter 151A of the General Laws is hereby amended by striking out subsection (d), as amended by section 3 of chapter 763 of the acts of 1951, and inserting in place thereof the following subsection:—

Employment
security law
coverage.

(d) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

Effective
date.

SECTION 2. This act shall take effect as of January first, nineteen hundred and fifty-four.

Approved April 6, 1954.

Chap. 281 AN ACT PROHIBITING CERTAIN STOCKHOLDERS IN CORPORATE COMMON CARRIERS FROM ENGAGING IN THE TRANSPORTATION OF CERTAIN SCHOOL CHILDREN, WITHOUT THE CONSENT OF THE DEPARTMENT OF PUBLIC UTILITIES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prevent certain persons from engaging in the business of a carrier of school children without the consent of the department of public utilities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 159A,
§ 7A, etc.,
amended.

Transporta-
tion of school
children,
regulated.

Section 7A of chapter 159A of the General Laws, as most recently amended by chapter 355 of the acts of 1952, is hereby further amended by adding at the end the following two sentences:— For the purposes of this section only the word “carrier” shall be construed to include any person, partnership, corporation or association owning or operating a motor vehicle actually used for the transportation of school children under a contract with a municipality or municipal board or for the transportation of school children in a school bus as defined in section one of chapter ninety to or from events of public interest. No person or associated group of persons owning or controlling more than fifty per cent of the stock of any corporate common carrier subject to the jurisdiction of the department under this chapter shall engage in business as a carrier as so defined without the consent of the department. *Approved April 6, 1954.*

Chap. 282 AN ACT VALIDATING CERTAIN PROCEEDINGS RELATIVE TO THE ADMISSION OF THE TOWN OF ALFORD TO MEMBERSHIP IN THE SOUTHERN BERKSHIRE REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The proceedings heretofore taken by the towns of Alford, Egremont, Monterey, New Marlborough and Sheffield providing for the admission of said town of Alford to membership with said other towns in the Southern

Berkshire Regional School District, and the proceedings heretofore taken by the town of Alford to elect a representative to the regional school district committee, are hereby validated, and said town of Alford is hereby declared to be a member of said district.

SECTION 2. This act shall take effect upon its passage.

Approved April 6, 1954.

AN ACT REVIVING THE HOPKINTON ATHLETIC ASSOCIATION, INC. FOR THE PURPOSE OF ACQUIRING AND CONVEYING CERTAIN PROPERTY. *Chap. 283*

Whereas, The deferred operation of this act would delay the corporation revived thereby from immediately conveying to the town of Hopkinton a certain parcel of land to be used by said town for school purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Hopkinton Athletic Association, Inc., a corporation dissolved by chapter fifty-four of the acts of nineteen hundred and thirty-six, is hereby revived for a period of one year from the effective date of this act for the sole purpose of re-acquiring a certain parcel of land from the town of Hopkinton and conveying said parcel to the town of Hopkinton for school purposes.

Approved April 6, 1954.

AN ACT TO AMEND THE CHARTER OF THE BARNSTABLE WATER COMPANY. *Chap. 284*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make immediately effective certain changes in the charter of the Barnstable Water Company, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter 286 of the acts of 1911 is hereby amended by striking out section 9 and inserting in place thereof the following section: — *Section 9.* Said corporation may issue bonds, coupon notes and other evidences of indebtedness and may secure the same in the manner and to the extent provided by chapters one hundred and sixty-four and one hundred and sixty-five of the General Laws in so far as applicable to water companies.

SECTION 2. Said chapter 286 of the acts of 1911 is hereby further amended by striking out section 10 and inserting in place thereof the following section: — *Section 10.* Capital stock hereinbefore authorized shall be issued only in such amounts as the department of public utilities may from time to time vote is reasonably necessary for the purpose for which such issue of stock has been authorized. Its decision

approving such issue shall specify the respective amounts of stock authorized to be issued, and the purposes to which the proceeds thereof are to be applied. A certificate setting forth its decision shall be filed in the office of the secretary of the commonwealth before the certificate of the stock is issued, and the proceeds of such stock shall not be applied to any purpose not specified in such decision.

Approved April 6, 1954.

Chap.285 AN ACT RELATIVE TO THE INCONTESTABLE CLAUSE IN GROUP LIFE POLICIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 134, etc., amended.

Group life insurance policies, regulated.

Section 134 of chapter 175 of the General Laws, as most recently amended by section 4 of chapter 404 of the acts of 1951, is hereby further amended by striking out the provision numbered 1 and inserting in place thereof the following:—

1. That the policy shall be incontestable after two years from its date of issue except for non-payment of premiums; and that the insurance on any person insured under the policy shall be incontestable after it has been in force for a period of two years during such person's lifetime except for violation of the conditions of the policy relating to military or naval service in time of war. *Approved April 6, 1954.*

Chap.286 AN ACT PROVIDING FOR THE PAYMENT OF BETTERMENT ASSESSMENTS IN INSTALLMENTS OVER A PERIOD OF TWENTY YEARS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 80, § 13, etc., amended.

Section 13 of chapter 80 of the General Laws is hereby amended by striking out, in line 18, as appearing in section 1 of chapter 315 of the acts of 1934, the word "ten" and inserting in place thereof the word:— twenty.

Approved April 6, 1954.

Chap.287 AN ACT FURTHER REGULATING NON-ELECTED POLITICAL COMMITTEES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 55, § 4, etc., amended.

Organization of non-elected political committees, regulated.

Section 4 of chapter 55 of the General Laws, as appearing in section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out the first sentence and inserting in place thereof the following three sentences:— Every non-elected political committee shall have a treasurer, and a chairman who shall, not later than thirty days preceding the election in which said committee is organized to function, file with the state secretary, or, when organized for the purposes of a municipal election only, with the city or town clerk, the names and addresses of such treasurer and chairman and of at least three additional members, and a statement of the purpose for which organized and the written

consent of the candidates concerned. Any committee organized for the purpose of securing the nomination and election of a candidate shall state in its title the name of said candidate. In the event of a change in such officers or as to such additional members, a statement of such change shall forthwith be filed as in the case of the officers first chosen.

Approved April 6, 1954.

AN ACT REQUIRING THE REPLACEMENT OF MUTILATED OR ILLEGIBLE PLATES ON CERTAIN MOTOR VEHICLES. Chap.288

Be it enacted, etc., as follows:

Section 10A of chapter 159B of the General Laws, as most recently amended by chapter 309 of the acts of 1953, is hereby further amended by inserting before the first sentence the following sentence:—When a distinguishing plate issued by the department is lost or mutilated or the number thereon becomes illegible, the carrier to whom such plate was issued shall make application for a plate replacement.

G. L. (Ter. Ed.), 159B, § 10A, etc., amended.

Replacement of certain motor vehicle plates.

Approved April 6, 1954.

AN ACT PROVIDING THAT PLANS AND DATA PERTAINING TO CERTAIN HIGHWAY BRIDGES BE TURNED OVER TO THE DEPARTMENT OF PUBLIC WORKS. Chap.289

Be it enacted, etc., as follows:

The public authority in charge of any public highway bridge, at the time the care, control and maintenance thereof was transferred to the department of public works under the provisions of chapter six hundred and ninety of the acts of nineteen hundred and forty-five or of chapter four hundred and eighty-two of the acts of nineteen hundred and forty-eight, is hereby empowered and directed to transfer, release and deliver to the said department upon its request such original plans, tracings, blueprints, records or other data relating to the bridges so transferred as the department may require.

Approved April 6, 1954.

AN ACT TO AUTHORIZE THE TOWN OF SHELBURNE TO ACCEPT MONIES FOR THE ESTABLISHMENT OF COMMUNITY HOUSE FACILITIES. Chap.290

Be it enacted, etc., as follows:

The town of Shelburne is hereby authorized and empowered by a majority vote of any regular or special town meeting called for the purpose, to accept from Shelburne Falls Community House, Inc. the sum of seventy thousand dollars under the terms and conditions contained in the decree in equity issued by the probate court for the county of Franklin on February fourth, nineteen hundred and fifty-four, in case numbered twenty-eight thousand ninety-seven, Estate of Lillis R. Sawyer, and after such acceptance to

abide by and comply with the terms and conditions set forth in said decree. *Approved April 6, 1954.*

Chap.291 AN ACT RELATIVE TO THE ENFORCEMENT OF THE LABOR STATUTES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 149, § 79, amended.

Section 79 of chapter 149 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "inspector", in line 4 and in line 5, in each instance, the words:— or other authorized representative of the department. *Approved April 7, 1954.*

Chap.292 AN ACT PROVIDING THAT PRINTED COPIES OF SCHEDULES, CLASSIFICATIONS AND TARIFFS, AND SUPPLEMENTS THERETO, ON FILE WITH THE INTERSTATE COMMERCE COMMISSION, SHALL BE PRESUMED CORRECT AND SHALL BE GOOD AND SUFFICIENT EVIDENCE WITHOUT CERTIFICATION.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 233, new § 76B, added.
Admissibility of certain interstate commerce data, as evidence, established.

Chapter 233 of the General Laws is hereby amended by inserting after section 76A, inserted by section 1 of chapter 213 of the acts of 1938, the following section:— *Section 76B.* Printed copies of schedules, classifications and tariffs of rates, fares and charges, and supplements to any such schedules, classifications and tariffs, filed with the Interstate Commerce Commission, which show an Interstate Commerce Commission number, and an effective date shall be presumed to be correct copies of the original schedules, classifications, tariffs and supplements on file with the Interstate Commerce Commission, and shall be received as good and sufficient evidence, without certification, in any court of this commonwealth to prove such schedules, classifications, tariffs and supplements.

Approved April 7, 1954.

Chap.293 AN ACT FURTHER DEFINING NOTICE TO COMMON CARRIERS IN CERTAIN CASES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 159B, § 12, etc., amended.

Section 12 of chapter 159B of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 483 of the acts of 1938, and inserting in place thereof the following paragraph:—

Notice to common carriers required when certain rights revoked.

After a hearing, at least ten days' notice whereof shall be mailed to the holder of the certificate, permit or license in question at the address shown on the department records, the department may revoke, or suspend for such period of time as it may deem fit, any such certificate, permit or license, in whole or in part, for any violation of any provision of this chapter or of the orders, rules and regulations of the department made, adopted or established under authority thereof,

or of any lawful requirement, condition, limitation or restriction contained in such certificate, permit or license. Any such certificate, permit or license shall remain in effect unless and until revoked by the department as herein provided, but subject to suspension as aforesaid.

Approved April 7, 1954.

AN ACT RELATING TO THE PURCHASE OF INSURANCE BY CERTAIN CORPORATIONS BY MEMBERS THEREOF. *Chap.294*

Be it enacted, etc., as follows:

The fourth paragraph of section 174 of chapter 175 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "license", in line 6, the following: — , except that a stockholder of such corporation may be a purchaser of insurance, the premiums for which do not exceed two per cent of the total premiums written by said corporation;

G. L. (Ter. Ed.), 175, § 174, amended.

Approved April 7, 1954.

AN ACT RELATIVE TO RULES AND REGULATIONS PROMULGATED IN CONNECTION WITH COMPENSATION PLANS FOR MUNICIPAL OFFICERS AND EMPLOYEES, AND MUNICIPAL PERSONNEL ADMINISTRATION. *Chap.295*

Be it enacted, etc., as follows:

SECTION 1. Paragraph (b) of section 2A of chapter 31 of the General Laws, as most recently amended by section 1 of chapter 286 of the acts of 1953, is hereby further amended by adding at the end the following sentence: — If such rule, regulation or change therein is to be adopted by vote of a town or by by-law, the publication of the proposed rule, regulation or change in the warrant for the town meeting shall be deemed to satisfy the requirements of this paragraph.

G. L. (Ter. Ed.), 31, § 2A, etc., amended.

SECTION 2. Chapter 41 of the General Laws is hereby amended by inserting after section 108B the following section: — *Section 108C.* A town may consolidate, in a single chapter or article, all provisions of its by-laws pertaining to the administration of its personnel, including, among other things, the compensation plan established pursuant to paragraph (b) of section two A of chapter thirty-one, the plans established pursuant to section one hundred and eight A of this chapter, and any by-laws adopted pursuant to section twenty-one A of chapter forty, and may provide by by-law for the establishment of a personnel board or other agency for the purpose of administering said plans or other provisions of its by-laws pertaining to personnel, determining any questions arising thereunder, and advising the town in any matters pertaining thereto; provided, however, such consolidated by-law shall not be subject to the approval of the attorney general as provided in section thirty-two of chapter forty.

G. L. (Ter. Ed.), 41, new § 108C, added. Administration of personnel in towns, regulated.

Approved April 7, 1954.

Chap. 296 AN ACT PROVIDING FOR REIMBURSEMENT OF CITIES AND TOWNS FOR TRANSPORTATION OF CERTAIN HANDICAPPED CHILDREN TO SPECIAL SCHOOLS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 71, new § 46B, added.

Reimbursement of cities and towns for certain transportation costs, authorized.

SECTION 1. Chapter 71 of the General Laws is hereby amended by inserting after section 46A, as most recently amended by chapter 352 of the acts of 1953, the following section: — *Section 46B.* If a child of school age, handicapped as described in sections forty-six and forty-six A or afflicted with cerebral palsy, attends a special school approved by the department within or without the city or town of residence of his parent or guardian, the school committee of the town where the child resides may provide transportation once each day to and from such school while the child is in attendance. The city or town providing transportation under this section shall be eligible for reimbursement upon determination by the department of amounts due in accordance with attested claims by the school committee on forms provided by the department and said reimbursements shall be paid out of proceeds of the tax on incomes.

G. L. (Ter. Ed.), 71, § 46A, etc., amended.

SECTION 2. Section 46A of said chapter 71 is hereby amended by striking out the third paragraph, inserted by chapter 352 of the acts of 1953. *Approved April 8, 1954.*

Chap. 297 AN ACT AUTHORIZING CITIES AND TOWNS TO ESTABLISH COMMISSIONS TO PROMOTE BUSINESS AND INDUSTRY, AND TO APPROPRIATE MONEY THEREFOR.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide immediately for the establishment by cities and towns of industrial commissions to promote business and industry, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 40, new § 8A, added.

Establishment of industrial commissions in cities and towns, authorized.

SECTION 1. Chapter 40 of the General Laws is hereby amended by inserting after section 8, as appearing in the Tercentenary Edition, the following section: — *Section 8A.* A city or town which accepts this section may establish a development and industrial commission for the promotion and development of the industrial resources of said city or town. Such commission shall conduct researches into industrial conditions and shall seek to co-ordinate the activities of unofficial bodies organized for said purposes, and may advertise, prepare, print and distribute books, maps, charts and pamphlets which in its judgment will further the provisions for which it is created. The commission may appoint such clerks and other employees as it may require.

Such commission shall consist of not less than five nor more than fifteen members. The members in cities shall be

appointed by the mayor, subject to the provisions of the city charter, except in cities operating under a Plan D or Plan E form of city charter, said appointments shall be by the city manager, subject to the provisions of the city charter; and in towns they shall be elected at the annual town meeting, excepting towns having a manager form of government, in which towns such appointments shall be made by the town manager. When a commission is first established, the terms of the members shall be for such length, not exceeding five years, and so arranged that the terms of approximately one fifth of the members will expire each year, and their successors shall be appointed for terms of five years each. Any member of a board so appointed in a city may be removed for cause after a public hearing, if requested, by the mayor with the approval of the city council. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term in a city in the same manner as an original appointment, and in a town as provided in section eleven of chapter forty-one.

SECTION 2. Section 5 of said chapter 40 is hereby amended by inserting after clause (46), inserted by chapter 149 of the acts of 1954, the following clause: —

G. L. (Ter. Ed.), 40, § 5, etc., amended.

(47) For the purpose of establishing and maintaining a business and industrial commission to promote business and industry, a sum not exceeding in any one year one twentieth of one per cent of the assessed valuation of the preceding year, but in no event more than fifty thousand dollars.

Certain appropriations, authorized.

Approved April 8, 1954.

AN ACT TO EXEMPT THE LIFEGUARD STAFF IN THE DIVISION OF PUBLIC BEACHES OF THE DEPARTMENT OF PUBLIC WORKS FROM THE OPERATION OF THE CIVIL SERVICE LAW.

Chap. 298

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith exempt the lifeguard staff in the division of public beaches of the department of public works from the operation of the civil service law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section 5 of chapter 31 of the General Laws, as most recently amended by chapter 26 of the acts of 1951, is hereby further amended by inserting after the word "forty-eight", in lines 27 and 28, the words: — ; the lifeguard staff in the division of public beaches in the department of public works.

G. L. (Ter. Ed.), 31, § 5, etc., amended.

Exemptions from civil service coverage.

Approved April 8, 1954.

Chap.299 AN ACT TO ESTABLISH THE BOUNDARIES OF THE HADLEY
WATER SUPPLY DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The boundaries of the Hadley Water Supply District are defined to be as follows: — Beginning at the southeasterly corner of the town of Hadley, thence northerly on the town line between the towns of Hadley and Amherst, about five thousand eight hundred feet to a stone bound marking an angle in the said town line; thence south eighty-six degrees forty-five minutes west, along said town line, eight hundred twenty feet to another stone bound near a highway called Bay road; thence north seventeen degrees twenty-three minutes east, fourteen thousand seven hundred sixty-four feet on the said town line, to a stone bound; thence north eighty-six degrees nine minutes west, two hundred seventy-one feet on the said town line to a stone bound; thence north fourteen degrees thirty-five minutes east, one thousand nine hundred eighteen feet on the said town line to a stone bound; thence south eighty-seven degrees six minutes east, two hundred seventy-three feet on the said town line to a town bound stone located sixty feet, more or less, south of the southerly line of the state highway leading from Hadley to Amherst; thence north sixteen degrees thirty-four minutes east, eleven hundred sixty feet on said town line; thence continuing in the same direction about one mile on said Amherst line to the northeasterly corner of land now or formerly of A. J. Babb; thence westerly, along the northerly side of said Babb's land to the Adams Mill brook; thence northwesterly along the center of said brook and pond to the iron bridge at Adams Mills; thence westerly, about half a mile along the said brook to the division line between lands now or formerly of Frank Scott on the north and Homer Cowles on the south; thence continuing westerly about half a mile on said division line between Scott and Cowles to the northwesterly corner of land of the said Cowles at the easterly foot of Mount Warner; thence southwestwardly and westerly along the foot of Mount Warner to the division line between lands now or formerly of Charles Hawley on the east and George White on the west at the center of an old, discontinued road leading to Paul Wright's bridge; thence southerly, along the center of said discontinued road about forty rods to the road leading from North Hadley to Plainville, now called Mt. Warner road; thence crossing said Mt. Warner road and running southwestwardly along the division line between other lands now or formerly of the aforesaid Charles Hawley and George White to land now or formerly of the heirs of James Hickey; thence southeasterly, along land now or formerly of said heirs of James Hickey to the center of Long Hill road, now called Breckenridge road; thence southwestwardly, along the center of said road about thirty rods to the center of Hunting-

ton road (formerly called Breckenridge road); thence westerly, along the center of said Huntington road to a point which is one thousand three hundred eighty-three feet distant from a highway bound number eight located at the intersection of a highway called River Drive (formerly called River road) with said Huntington road; thence northerly, one rod, more or less, to the northerly side of said Huntington road at the southeast corner of land now or formerly of one Sessions; thence north nine degrees forty minutes west, eleven hundred seventy-four feet, more or less; thence north fifteen degrees west, four hundred eighty-three feet, more or less, to a point; thence north eighty-seven degrees thirty minutes east, seven hundred sixty-seven and six tenths feet, more or less, to a point; thence north fifteen degrees thirty minutes west, three thousand one hundred fifty feet, more or less, to a point; thence south seventy-four degrees thirty minutes west, crossing River Drive and passing through highway bound number eighteen which is southerly of a watering tub, two thousand one hundred feet, more or less, to a point in the Connecticut river; thence southerly, following the course of said river to the point where the Fort river did enter said Connecticut river before said Fort river cut its new course; thence up Fort river to the center of the covered bridge over the same; thence south forty-five degrees east, to the town line between Hadley and South Hadley; thence easterly along said town line to the place of beginning.

SECTION 2. All proceedings of the Hadley Water Supply District and all acts of the commissioners, officers and agents of said district, in so far as they may be invalid by reason of failure of said district as extended, to take the proper steps under acts extending the boundaries of said district, are hereby validated and confirmed and shall have the same effect as if the district had taken the proper steps with respect to said extensions of boundaries.

SECTION 3. All proceedings of the annual meeting of the Hadley Water Supply District in the town of Hadley, including the election of officers, held on February first, nineteen hundred and fifty-four, are hereby validated.

SECTION 4. This act shall take effect upon its passage.

Approved April 12, 1954.

AN ACT REVIVING CARPET CLUB ASSOCIATES INC.

Chap.300

Whereas, The deferred operation of this act would delay the corporation revived thereby in resuming the exercise of its former corporate powers, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Carpet Club Associates Inc., a corporation dissolved on September twenty-sixth, nineteen hundred and forty-five, by decree of the supreme judicial court for Suffolk county,

is hereby revived, with the same powers, duties and obligations as if said decree had not been entered; provided, however, that if said corporation seeks to obtain a license for the sale of alcoholic beverages under the provisions of section twelve of chapter one hundred and thirty-eight of the General Laws, the provisions of section seventeen of said chapter which allow the granting of additional licenses to such clubs as were licensed to sell during the year nineteen hundred and thirty-five all alcoholic beverages shall not apply to said corporation. *Approved April 12, 1954.*

Chap.301 AN ACT TRANSFERRING A CERTAIN EMPLOYEE OF THE DEPARTMENT OF CONSERVATION TO THE DIVISION OF PUBLIC BEACHES IN THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

SECTION 1. Robert J. Brault, who held the position of conservation helper at the Salisbury Beach Reservation in the department of conservation for a period of five years prior to the transfer of the functions of such position to the division of public beaches in the department of public works, is hereby permanently transferred to a similar position in said division of public beaches, without loss of retirement or other rights.

SECTION 2. This act shall take effect upon its passage. *Approved April 12, 1954.*

Chap.302 AN ACT RELATIVE TO THE NON-CRIMINAL DISPOSITION OF PARKING VIOLATIONS WITH RESPECT TO PARKING AREAS ADJACENT TO OR ABUTTING COUNTY BUILDINGS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 90, § 20A, etc., amended.

Section 20A of chapter 90 of the General Laws, as most recently amended by section 1 of chapter 249 of the acts of 1953, is hereby further amended by adding at the end the following paragraph:—

Parking adjacent to certain county buildings, regulated.

The provisions of this section shall apply to violations of rules and regulations relative to the use of parking areas subject to the control of the county commissioners adjacent to or abutting county buildings, and county commissioners are hereby authorized to make said rules and regulations.

Approved April 12, 1954.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 12, 1954.

HONORABLE EDWARD J. CRONIN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

SIR: I, Sumner G. Whittier, Lieutenant Governor, Acting Governor, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The

Referendum II, Emergency Measure", do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the twelfth day of April in the year one thousand nine hundred and fifty-four, being Chapter 302 of the Acts of 1954 entitled, "An Act Relative to the Non-Criminal Disposition of Parking Violations with Respect to Parking Areas Adjacent to or Abutting County Buildings", should take effect forthwith and that it is an emergency law, and that facts constituting the emergency are as follows:

In order that the present overcrowding of available parking space in areas under the control of the County Commissioners is such that the setting up of rules and regulations for the control of parking is a public necessity.

Very truly yours,
 SUMNER G. WHITTIER,
*Lieutenant Governor,
 Acting Governor.*

OFFICE OF THE SECRETARY, BOSTON, April 12, 1954.

I, Edward J. Cronin, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Honor the Lieutenant Governor, Acting Governor of the Commonwealth of Massachusetts at four o'clock and twenty minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and two of the acts of nineteen hundred and fifty-four.

EDWARD J. CRONIN,
Secretary of the Commonwealth.

AN ACT RELATIVE TO THE APPROVAL BY THE COMMISSIONER
 OF PUBLIC SAFETY OF THE LICENSING OF CERTAIN PUBLIC
 ENTERTAINMENT ON THE LORD'S DAY. Chap. 303

Be it enacted, etc., as follows:

Chapter 136 of the General Laws is hereby amended by striking out section 4, as most recently amended by chapter 596 of the acts of 1953, and inserting in place thereof the following section: — *Section 4.* Except as provided in section one hundred and five of chapter one hundred and forty-nine, the mayor of a city or the selectmen of a town may, upon written application describing the proposed entertainment, grant, upon such terms or conditions as they may prescribe, a license to hold on the Lord's day a public entertainment, including musical entertainment provided by mechanical or electrical means, in keeping with the character of the day and not inconsistent with its due observance, whether or not admission is to be obtained upon payment of money or other valuable consideration, and, if the proposed entertainment described in the application

G. L. (Ter.
 Ed.), 136, § 4,
 etc., amended.

Licensing of
 certain public
 entertainment
 on Lord's day,
 regulated.

is solely for the use of television, the use of radio, or musical entertainment provided by mechanical or electrical means, the mayor or selectmen may grant an annual license therefor; provided, that no such license shall be granted to have effect before one o'clock in the afternoon, nor shall it have effect unless the proposed entertainment shall have been approved in writing by the commissioner of public safety as being in keeping with the character of the day and not inconsistent with its due observance. The application for the approval of the proposed entertainment by the commissioner shall be accompanied by a fee of two dollars, or, in the case of an application for the approval of an annual license, as herein provided, by a fee of fifty dollars. Any such license may, after notice and a hearing given by the mayor or selectmen issuing the same, or by said commissioner, be suspended, revoked or annulled by the officer or board giving the hearing.

Approved April 12, 1954.

Chap.304 AN ACT RELATIVE TO THE DRIVING OF VEHICLES ON WAYS WHICH ARE DIVIDED INTO LANES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 89, § 4B, etc., amended.

Driving of vehicles on certain ways, regulated.

Section 4B of chapter 89 of the General Laws, inserted by section 1 of chapter 461 of the acts of 1952, is hereby amended by adding at the end the following sentence:— When the right lane has been constructed or designated for purposes other than ordinary travel, a driver shall drive his vehicle in the lane adjacent to the right lane except when overtaking another vehicle or when preparing for a left or right turn.

Approved April 12, 1954.

Chap.305 AN ACT RELATIVE TO THE INCLUSION OF ENGINE NUMBERS IN APPLICATIONS FOR THE REGISTRATION OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 90, § 2, etc., amended.

Contents of application for registration of motor vehicles.

The first paragraph of section 2 of chapter 90 of the General Laws, as amended by chapter 443 of the acts of 1950, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:— The application shall contain, in addition to such other particulars as may be required by the registrar, a statement of the name, place of residence and address of the applicant, with a brief description of the motor vehicle or trailer, including the name of the maker, the number affixed by the maker, if any, and, in the case of a motor vehicle, the engine number affixed by the maker, if any was so affixed, and the character of the motor power.

Approved April 12, 1954.

AN ACT RELATIVE TO THE DISPLAY OF RED LIGHTS UPON VEHICLES OWNED AND OPERATED BY FIREMEN, CALL FIREMEN AND FOREST WARDENS. *Chap.306*

Be it enacted, etc., as follows:

Section 7E of chapter 90 of the General Laws, inserted by chapter 266 of the acts of 1949, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— The provisions of section seven notwithstanding, a vehicle owned and operated by a fireward, forest warden, deputy forest warden, member of a fire department of any town, but not a city, or call member of a fire department may have mounted thereon a red light which may be displayed in the direction toward which the vehicle is proceeding or facing only when such owner and operator is proceeding to a fire or in response to an alarm and when the official duty of such owner and operator requires him to proceed to said fire or to respond to said alarm, and at no other time.

Approved April 12, 1954.

G. L. (Ter. Ed.), 90, § 7E, etc., amended.

Display of red lights on vehicles used by certain fire fighters, permitted.

AN ACT MAKING FURTHER EXEMPTIONS FROM THE LAW RELATING TO CHARTER OR SPECIAL BUS SERVICE. *Chap.307*

Be it enacted, etc., as follows:

The third paragraph of section 11A of chapter 159A of the General Laws is hereby amended by striking out the third sentence, as appearing in chapter 161 of the acts of 1951, and inserting in place thereof the following sentence:— The terms "charter service" or "special service" shall not include the operation of a motor vehicle actually used for the transportation of school children under a contract with a municipality or municipal board, or the operation of a motor vehicle actually used for the transportation of school children to and from school; provided, that the authorities of such school shall have entered into a written agreement with the owner of the motor vehicle for the furnishing of such transportation; or the operation of a motor vehicle so used and owned and operated by such authorities; or the operation of sight-seeing automobiles licensed under chapter three hundred and ninety-nine of the acts of nineteen hundred and thirty-one.

Approved April 12, 1954.

G. L. (Ter. Ed.), 159A, § 11A, etc., amended.

Certain operations made inapplicable to charter or special bus service laws.

AN ACT RELATIVE TO THE DISBURSEMENT OF CERTAIN MONEY RECEIVED BY THE LAND COURT. *Chap.308*

Be it enacted, etc., as follows:

Section 11 of chapter 185 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "recorders", in line 11, the words:— , except that money so received for the cost of publication of notices shall be disbursed directly by the recorder, — so as to read as follows:— *Section 11.* The recorder and all

G. L. (Ter. Ed.), 185, § 11, amended.

Certain disbursements

by the
land court,
authorized.

assistant recorders shall be sworn before the judge of the land court, and a record thereof shall be made. They shall give bond in a sum to be fixed by the court, for the faithful performance of their official duties, before entering upon the same. They may administer oaths to persons appearing before them in matters pertaining to the registration of land, if an oath is required. They shall keep accurate accounts of all money received as fees or otherwise, which shall be subject to examination by the director of accounts, in the same manner as accounts of registers of deeds. The recorder shall pay over quarterly to the state treasurer all such money received by him either directly or through the assistant recorders, except that money so received for the cost of publication of notices shall be disbursed directly by the recorder. In case of the absence of an assistant recorder, the assistant register for the district, or if there is no assistant register, the person acting as clerk in the office of the register of deeds, shall perform the duties of the assistant recorder, who shall be responsible for him.

Approved April 12, 1954.

Chap. 309 AN ACT RELATING TO AGREEMENTS BY FIDUCIARIES WITH THEIR SURETIES FOR JOINT CONTROL OF MONEYS IN CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 205, § 19A, etc., amended.

Certain agree-
ments for
joint control
of moneys in
co-operative
banks,
authorized.

Chapter 205 of the General Laws is hereby amended by striking out section 19A, as most recently amended by chapter 65 of the acts of 1950, and inserting in place thereof the following section:— *Section 19A.* Any receiver, assignee, guardian, conservator, trustee, executor, administrator or other fiduciary, or party from whom a bond is required, may agree and arrange with his sureties for the deposit for safekeeping of any or all moneys, assets, and other property for which he is or may be responsible with a bank, savings bank, safe deposit or trust company authorized by law to do business as such in the commonwealth, or to deposit such moneys on paid-up shares and accounts of and in a co-operative bank or to invest such moneys in the purchase of share accounts of a federal savings and loan association or a savings and loan association located in the commonwealth, and in such manner as to prevent the withdrawal or alienation of such money, assets or other property or any part thereof, without the written consent of such sureties, or an order of the court in which said bond is filed, or of a judge thereof, made on such notice to such sureties as the court or judge may direct.

Approved April 12, 1954.

AN ACT RELATIVE TO THE CONVEYANCE TO THE MASSACHUSETTS GENERAL HOSPITAL BY THE CITY OF BOSTON OF ITS RIGHT, TITLE AND INTEREST IN AND TO CERTAIN LAND IN SAID CITY. *Chap. 310*

Be it enacted, etc., as follows:

The mayor of the city of Boston, when authorized thereto by order of the city council of said city passed by two thirds of all the city councillors after two separate readings and by two separate votes, the second of said readings and votes to be had not less than fourteen days after the first, may, in the name and behalf of said city, enter into a contract with the Massachusetts General Hospital wherein (a) said city shall agree that, whenever the medical examiner of Suffolk county using the mortuary on the westerly side of North Grove street in said city shall discontinue the use of said mortuary and the municipal board having charge of the discontinuance of public ways in said city shall discontinue in the manner provided by law Fruit street, North Grove street and that portion of Parkman street lying westerly of the westerly side of North Anderson street in said city, said city shall convey to said hospital all right, title and interest of said city in and to Fruit street, North Grove street and the aforesaid portion of Parkman street and also the site of said mortuary; and (b) said hospital shall agree that it shall indemnify and save harmless said city from and against any and all damages payable by said city by reason of the discontinuance of Fruit street, North Grove street and the aforesaid portion of Parkman street in said city and, in addition, shall pay said city such price as shall be fixed by the order of the city council authorizing such contract. The mayor of said city shall have power, without further authority than that contained in this act, to perform said contract by conveying in the name and behalf of said city the right, title and interest aforesaid and to execute and deliver any deed or other instrument necessary to effectuate such conveyance.

Approved April 12, 1954.

AN ACT EMPOWERING THE PROBATE COURT TO AUTHORIZE CERTAIN FIDUCIARIES TO DEPOSIT FUNDS IN CO-OPERATIVE BANKS. *Chap. 311*

Be it enacted, etc., as follows:

SECTION 1. Section 48A of chapter 201 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 174 of the acts of 1952, and inserting in place thereof the following sentence:— Upon application therefor by a conservator or by a guardian of an insane person or a spendthrift, whose ward is a resident of the commonwealth, the probate court, after such notice as it deems necessary, and a hearing, may authorize such conservator or guardian to deposit for the

G. L. (Ter. Ed.), 201, § 48A, etc., amended.

Deposit of funds in co-operative banks by fiduciaries, authorized.

purpose hereinafter stated, in a savings bank, or in the savings department of a trust company, within the commonwealth, or on paid-up shares and accounts of and in a co-operative bank, a sum not exceeding five hundred dollars, or may authorize said conservator or guardian to purchase a share account of a federal savings and loan association or a savings and loan association located within the commonwealth, in a sum not exceeding five hundred dollars, to be expended solely for, or towards the expense of, the burial of his ward.

G. L. (Ter. Ed.), 206, § 27, etc., amended.

Deposit of certain funds held by fiduciaries.

SECTION 2. Chapter 206 of the General Laws is hereby amended by striking out section 27, as amended by section 2 of chapter 66 of the acts of 1950, and inserting in place thereof the following section: — *Section 27.* If an executor, administrator, guardian, conservator or trustee has money which he considers it advisable to deposit in a savings bank or on paid-up shares and accounts of and in a co-operative bank, or with which he considers it advisable to purchase share accounts of a federal savings and loan association or a savings and loan association located in the commonwealth, in the name of the judge of probate, for the benefit of any person, he may apply to the probate court by which he was appointed for leave so to do, and the court may in its discretion, without notice, direct such money to be so deposited, or such purchase to be made. When the deposit is made the deposit book or certificates of the bank shall be filed in said court and when a purchase is made the account book of said federal savings and loan association shall be filed in said court. When the person entitled to such money satisfies the court of his right to receive it, the court shall by decree direct that it be transferred to him.

G. L. (Ter. Ed.), 215, § 41, etc., amended.

Temporary investments by fiduciaries, authorized.

SECTION 3. Section 41 of chapter 215 of the General Laws, as amended by section 3 of said chapter 66, is hereby further amended by inserting after the word "judge", in line 5, the words: — or on paid-up shares and accounts of and in co-operative banks, — so as to read as follows: — *Section 41.* A probate court may, upon application of a person interested in an estate in process of settlement in such court, direct the temporary investment of any money belonging to such estate in securities approved by the judge, or on paid-up shares and accounts of and in co-operative banks, or in share accounts of federal savings and loan associations or a savings and loan association located in the commonwealth; or it may authorize the money to be deposited in any bank or institution in the commonwealth empowered to receive such deposits, upon such interest as such bank or institution may agree to pay.

Approved April 12, 1954.

AN ACT PROVIDING FOR THE DEPOSIT OF CERTAIN UNCLAIMED MONEY IN CO-OPERATIVE BANKS. *Chap.312*

Be it enacted, etc., as follows:

SECTION 1. Section 25 of chapter 206 of the General Laws, as amended by section 1 of chapter 64 of the acts of 1950, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— If money which a decree of a probate court has ordered to be paid over remains for six months unclaimed, the executor, administrator, guardian, conservator or trustee who was ordered to pay the same may deposit it in a savings bank or other like institution, or on paid-up shares and accounts of and in co-operative banks, or invest it in bank stock or other stocks, or in share accounts of a federal savings and loan association or a savings and loan association located in the commonwealth, as the probate court orders, to accumulate for the benefit of the person entitled thereto.

G. L. (Ter. Ed.), 206, § 25, etc., amended.

Deposit of unclaimed money in co-operative banks, authorized.

SECTION 2. Chapter 241 of the General Laws is hereby amended by striking out section 34, as amended by section 2 of said chapter 64, and inserting in place thereof the following section:— *Section 34.* If the proceeds of a sale, or any share thereof, cannot be paid to the persons entitled thereto, the commissioners shall deposit the same in the name of the judge of probate for the county where the proceedings are had, in such savings bank or other like institution, or on paid-up shares and accounts of and in co-operative banks, or purchase with it in the name of said judge of probate a share account of a federal savings and loan association or a savings and loan association located in the commonwealth, as the court orders, to accumulate for the persons entitled thereto. The deposit or purchase shall be subject to sections twenty-five to twenty-eight, inclusive, of chapter two hundred and six, so far as applicable.

G. L. (Ter. Ed.), 241, § 34, etc., amended.

Disposal of unclaimed proceeds, regulated.

Approved April 12, 1954.

AN ACT FURTHER REGULATING THE AGE OF ENLISTMENT IN THE UNIFORMED BRANCH OF THE DIVISION OF STATE POLICE IN THE DEPARTMENT OF PUBLIC SAFETY. *Chap.313*

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 9A of chapter 22 of the General Laws is hereby amended by striking out the last sentence, as appearing in chapter 175 of the acts of 1943, and inserting in place thereof the following sentence:— No person who has reached his thirtieth birthday shall be enlisted for the first time as an officer of the division of state police, except that said age qualification shall not apply in the case of the enlistment of any woman as such an officer.

G. L. (Ter. Ed.), 22, § 9A, etc., amended.

Age requirements of state police.

SECTION 2. This act shall not apply to any person who, on its effective date, is qualified and whose name is included

Exception.

in a list from which candidates for future appointment to the uniformed branch of the division of state police are to be selected.

Approved April 12, 1954.

Chap. 314 AN ACT AUTHORIZING THE TOWN OF CHARLTON TO ALLOW THE USE OF ITS EQUIPMENT WITH ITS OPERATOR ON PRIVATE PROPERTY FOR CERTAIN PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of utilizing its mechanical equipment to the greatest extent, furnishing more continuous employment for its employees and increasing the taxable value of the real estate within its boundaries, the town of Charlton is hereby granted authority to enter into agreements, through its selectmen, to rent such of its mechanical equipment with the operator thereof, when not needed for the use of the town, to private individuals for use on private property within the boundaries of said town. Said authority to enter into an agreement shall not be exercised unless and until the selectmen of the town have in their possession releases executed by the private individual and all employees of the town to be employed on such work to save the town harmless on account of any loss, cost or damages ensuing from the performance of such a rental agreement, including loss, cost or damages to equipment so rented, reasonable wear and tear excepted; nor until a cash deposit equal in amount to the estimated rentals to be paid under said agreement, as determined by the selectmen, is paid over to the town; nor until policies of workmen's compensation insurance and public liability insurance, satisfactory to the selectmen, have been taken out by the private individual or individuals covering the proposed work.

The costs of said rentals shall be paid by said private individuals. All bills and pay rolls chargeable for work done under such rental agreement shall be plainly marked to indicate that the work was done under authority of and in pursuance of said agreement, and shall be charged against the advance cash deposit which shall be credited on the books of the town in a separate account. Any excess of said charges over the cash deposit shall be paid over by the private individual to the town upon demand of the selectmen or the town treasurer. Any remaining balance in the special cash deposit account, after the completion of the rental agreement, shall be returned to the private individual.

The equipment and employees of the town of Charlton, while engaged in performing work under any said rental agreement, shall be deemed to be engaged in the service of the private individual, except that the service of any town employee thereunder shall be deemed creditable service within the meaning of section one of chapter thirty-two of the General Laws, and shall constitute public employment within the meaning of chapter thirty-one of the General Laws

if applicable now or hereafter in the town of Charlton to said employees.

SECTION 2. This act shall take full effect upon its acceptance by vote of the inhabitants of Charlton at a town meeting, but not otherwise. *Approved April 12, 1954.*

AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO PERMIT THE TOWN OF MEDFIELD TO INSTALL A FIRE WARNING SYSTEM AT THE MEDFIELD STATE HOSPITAL. *Chap.315*

Be it enacted, etc., as follows:

SECTION 1. The department of mental health is hereby authorized to permit the town of Medfield to install a fire warning system at the Medfield state hospital, said system to be installed subject to such conditions and restrictions as the commissioner of mental health may deem necessary.

SECTION 2. This act shall take effect upon its passage. *Approved April 15, 1954.*

AN ACT AUTHORIZING THE TOWN OF MIDDLEBOROUGH TO BORROW MONEY FOR SCHOOL PURPOSES. *Chap.316*

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 237 of the acts of 1948, as amended by section 1 of chapter 374 of the acts of 1950, is hereby further amended by striking out, in line 3, the words "high school building" and inserting in place thereof the words: — school building or buildings, — so as to read as follows: — *Section 1.* For the purpose of acquiring land for and constructing and originally equipping and furnishing a school building or buildings, the town of Middleborough may borrow, from time to time, within a period of ten years from the passage of this act, such sums of money as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds or notes therefor which shall bear on their face the words, Middleborough School Loan, Act of 1948. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage. *Approved April 15, 1954.*

*Chap.*317 AN ACT RELATIVE TO CERTAIN LINES, POLES AND OTHER EQUIPMENT OF WORCESTER COUNTY ELECTRIC COMPANY AND NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY IN CERTAIN CITIES AND TOWNS SERVED BY SAID COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. All lines for the transmission of electricity for light, heat or power heretofore erected or acquired by the Worcester County Electric Company, and all lines heretofore erected or acquired by the New England Telephone and Telegraph Company for the transmission of intelligence by electricity or by telephone, upon, along, under or over the public ways and places of the cities and towns of Athol, Auburn, Ayer, Barre, Belchertown, Bellingham, Berlin, Blackstone, Bolton, Brimfield, Brookfield, Charlton, Clinton, Douglas, Dudley, Dunstable, East Brookfield, East Longmeadow, Erving, Foxborough, Franklin, Gardner, Grafton, Granby, Hampden, Hardwick, Harvard, Holland, Hopedale, Hubbardston, Lancaster, Leicester, Leominster, Marlborough, Mendon, Milford, Millbury, Millville, Monson, New Braintree, New Salem, Northborough, Northbridge, North Brookfield, Oakham, Orange, Oxford, Palmer, Pepperell, Petersham, Phillipston, Plainville, Royalston, Rutland, Shirley, Shutesbury, Southborough, Southbridge, Spencer, Sturbridge, Sutton, Tyngsborough, Upton, Uxbridge, Wales, Ware, Warren, Warwick, Webster, Wendell, Westborough, West Brookfield, Westminster, Wilbraham, Winchendon, Worcester and Wrentham, and the poles, piers, abutments, conduits, manholes and other fixtures necessary to sustain, protect or operate the wires and cables of said lines and actually in place on the effective date of this act, are hereby made lawful, notwithstanding the lack of any valid locations therefor, or any informality in the proceedings relative to their location and erection; provided, that the validation aforesaid shall not be effective as to the lines, structures or fixtures aforesaid of either or both of said companies in said cities and towns unless the company or companies owning the same shall have filed with the clerks of said cities and towns not later than December thirty-first, nineteen hundred and fifty-five, a map or maps showing the location and nature of said lines, structures and fixtures in said cities and towns, such map or maps so filed to be recorded and kept with the records of original locations for poles and wires in said cities and towns.

SECTION 2. This act shall take effect upon its passage.

Approved April 15, 1954.

*Chap.*318 AN ACT RELATING TO INDIVIDUAL ACCIDENT OR HEALTH INSURANCE POLICIES.

Be it enacted, etc., as follows:

The first paragraph of section 149 of chapter 175 of the General Laws, as appearing in the Tercentenary Edition,

is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— This section shall not apply to accident or health, annuity or pure endowment contracts.

Approved April 15, 1954.

AN ACT FURTHER DEFINING CHARTER SERVICE.

Chap. 319

Be it enacted, etc., as follows:

SECTION 1. Section 11A of chapter 159A of the General Laws, as most recently amended by section 1 of chapter 268 of the acts of 1953, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:— No person shall operate or offer to provide service by means of any motor vehicle carrying ten or more persons, including the driver, upon any public way in charter service, as hereinafter defined, unless he shall have obtained from the department a license to engage in the business of rendering such service and certifying that the rendering of such service is consistent with the public interest, that public convenience and necessity require it and that the applicant is fit, willing and able properly to perform such service. "Charter service" is hereby defined as the transportation of groups of persons who, pursuant to a common purpose and under a single contract, and at a fixed charge for the vehicle have acquired the exclusive use of the vehicle for the duration of a particular trip or tour and in such a manner as not to be subject to section one. The department may, after public hearing, grant or refuse to grant a license to engage in the business of rendering charter service, and may, after notice and hearing, suspend or revoke such a license for cause. Any such license shall remain in force, except while so suspended, until so revoked.

G. L. (Ter. Ed.), 159A, § 11A, etc., amended.

"Charter service", defined.

SECTION 2. Said section 11A of said chapter 159A is hereby further amended by striking out the second paragraph, as appearing in section 1 of chapter 482 of the acts of 1947, and inserting in place thereof the following paragraph:—

G. L. (Ter. Ed.), 159A, § 11A, etc., further amended.

No person shall operate any motor vehicle upon any public way in special service, as hereinafter defined, unless he shall have obtained from the department a permit to render such special service, certifying that the rendering of such special service is consistent with the public interest, and public convenience requires it. "Special service" is hereby defined as the transportation, by motor vehicle over a route other than one certified to the applicant under section seven, for any special purpose, event or occasion or series of events or occasions, of a number of passengers to whom the carrier itself, or some person in its behalf, has sold or intends to sell tickets for transportation service, whether such tickets are for transportation alone or are in the form of combination tickets. No special service permit shall be issued in any city or town as the point of origin other than to the holder of a certificate under section seven

"Special service", defined.

or a license under section ten of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven who has a certificated or licensed route or routes in said city or town, unless there is no such certificate or license holder in such city or town, or unless the holder of said certificate or license is not fit, willing and able properly to perform the special service applied for, and no such permit shall be issued to operate over a route over which or approximately over which a carrier has a certificate to operate under section seven or a license to operate under said section ten, if said carrier is fit, willing and able properly to perform the special service applied for. The department may grant or refuse to grant a permit for such special service, upon application, after not less than seven days' notice by mail directed to such holders of certificates issued under section seven of this chapter or licenses issued under section ten of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven serving the cities or towns of origin and destination named in such application as might, in the judgment of the department, be interested in such operations. In the event that the department considers that any objection filed with it before the return date warrants further consideration, it shall hold such hearing on such notice as it may require, and shall thereupon grant or refuse to grant such permit. Such permit shall be granted only to the holder of a license issued under this section authorizing him to engage in the business of rendering charter service and the department may, after notice and hearing, revoke such permit for cause. Such special service shall not be subject to section one.

Pre-existing
licenses.

SECTION 3. All licenses for charter service or special service granted by the department of public utilities, prior to the effective date of this act, under section eleven A of chapter one hundred and fifty-nine A of the General Laws as then in effect, shall remain in full force and effect as to charter service until suspended or revoked.

Approved April 15, 1954.

*Chap.*320 AN ACT RELATIVE TO THE PAR VALUE OF SHARES OF CAPITAL STOCK OF INSURANCE COMPANIES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 175, § 49,
amended.

SECTION 1. Section 49 of chapter 175 of the General Laws is hereby amended by striking out the first paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:—The company shall be formed in the manner described in and be subject to section nine of chapter one hundred and fifty-five, and sections six, eight to twelve, inclusive, and fourteen of chapter one hundred and fifty-six, except as otherwise expressly provided in this chapter.

G. L. (Ter.
Ed.), 175,
§ 49, etc.,
further
amended.

SECTION 2. Said section 49 of said chapter 175 is hereby further amended by striking out the third paragraph, inserted by section 2 of chapter 15 of the acts of 1939.

SECTION 3. Section 50 of said chapter 175 is hereby amended by striking out the first sentence, as amended by chapter 609 of the acts of 1945, and inserting in place thereof the following sentence: — A stock company, by a two thirds vote of all its stock entitled to vote, or a mutual company, by a two thirds vote of those members present and voting, at a meeting duly called therefor, may alter, add to or change, to the extent authorized by this chapter, the classes of insurance for the transaction of which it was incorporated, may change the location of its principal office or place of business in the commonwealth, or, in the case of a stock company, may provide for the transaction of insurance on a participating plan, or may increase or reduce the par value of such shares of its capital stock as have par value, which value shall be not less than one dollar, or, in the case of either a stock company or a mutual company, may make any other lawful amendment or alteration in its agreement of association or articles of organization, or in the corresponding provisions of its act of incorporation.

G. L. (Ter. Ed.), 175, § 50, etc., amended.

Capital stock of insurance companies, regulated.

SECTION 4. Section 70 of said chapter 175, as appearing in the Tercentenary Edition, is hereby amended by striking out the second sentence, and inserting in place thereof the following sentence: — If a company shall vote to increase its capital in the second of the two ways set forth in this section, the directors shall fix the price per share, in respect of shares with par value at not less than par and in respect of shares without par value at not less than its stated portion of authorized capital, at which, and the time, not less than thirty days after the date of such vote to increase, within which the new stock may be taken by the stockholders.

G. L. (Ter. Ed.), 175, § 70, amended.

Increase of capital stock, new stock, price, etc.

SECTION 5. Section 71 of said chapter 175, as so appearing, is hereby amended by striking out the first sentence, and inserting in place thereof the following four sentences: — Any company may, upon vote of a majority of the stock represented at a meeting legally called for that purpose, reduce its capital stock but not to an amount less than required by section forty-eight or fifty-one, except as herein-after provided. It may effect such reduction by decreasing the number of shares thereof, or by reducing the proportionate authorized capital value of its shares. Par value of such shares as have par value may not be reduced to less than one dollar. Assets and property shall not be distributed to its stockholders if authorized capital would be impaired thereby.

G. L. (Ter. Ed.), 175, § 71, amended.

Reduction of capital stock, authorized.

Approved April 15, 1954.

AN ACT NAMING AND DESIGNATING THE SWIMMING POOL AT SAXON FOSS PARK IN THE CITY OF SOMERVILLE AS THE WILLIAM J. AND EDWARD T. LATTA MEMORIAL SWIMMING POOL.

Chap. 321

Be it enacted, etc., as follows:

The swimming pool at Saxon Foss park in the city of Somerville, constructed by the metropolitan district com-

mission, shall be known and designated as the William J. and Edward T. Latta Memorial Swimming Pool. The metropolitan district commission, having charge of the maintenance of said pool, is hereby authorized and directed to place thereat in a conspicuous place a tablet or marker bearing said designation. *Approved April 15, 1954.*

Chap. 322 AN ACT AUTHORIZING THE CITY OF GLOUCESTER TO USE CERTAIN LAND HELD FOR PLAYGROUND PURPOSES FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Gloucester is hereby authorized to take and use for public school purposes the portion, hereinafter described, of the Mattos playground, so called, situated on Webster street in said city and to place same under the jurisdiction of the school committee thereof, instead of said portion of said playground being used for public playground purposes and being under the jurisdiction of the playground commission of said city, said portion of said playground being as follows: —

A certain parcel of land situated on the northeasterly side of Webster street in said city and bounded and described as follows: Beginning at a point on the northeasterly side line of said Webster street and a proposed way twenty-five feet wide, shown on the plan hereinafter referred to, and at land now or formerly of Harold L. Parsons et ux; thence running northwesterly by said street, eighty-five feet, to a corner; thence continuing northwesterly, but in a more westerly direction, by said street on four courses, forty-nine feet, seventy feet, thirty-two and fifty-four hundredths feet and one hundred sixty feet, more or less, respectively, to a point; thence turning and running northeasterly by the remaining portion of said playground, four hundred forty feet, more or less, to land now or formerly of Salvatore Corrao et ux; thence turning and running southeasterly by land now or formerly of said Corrao and across a forty-foot way shown on said plan, three hundred feet, more or less, to a corner in the southeasterly side line of said forty-foot way and land now or formerly of Harold B. Parsons et ux; thence turning and running southwesterly by land of said Parsons, twenty-eight feet, to a corner and the easterly side line of said proposed twenty-five-foot way; thence turning and running southerly by the edge of said way, land of said Parsons and land now or formerly of Carleton L. Critchett, one hundred thirty-nine and seventy hundredths feet, to a corner at land now or formerly of Doris S. Tamarindo et al; thence turning and running southwesterly by the southeasterly side line of said proposed twenty-five-foot way and by land of said Tamarindo et al and land of said Harold L. Parsons et ux, two hundred seventeen and ninety-one hundredths feet, to said Webster street and point begun at.

Said parcel is shown in more detail on a plan entitled "Plan of Joseph Mattos Playground and Vicinity, Gloucester, Massachusetts," dated November, 1953, made by Paul A. Polisson, City Engineer.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the playground commission and the city council of said city, but not otherwise.

Approved April 15, 1954.

AN ACT REGULATING THE EMPLOYMENT AND DISCHARGE OF EMPLOYEES BY LICENSEES CONDUCTING A HORSE OR DOG RACING MEETING. Chap. 323

Be it enacted, etc., as follows:

Chapter 271 of the General Laws is hereby amended by striking out section 40, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 40.* No railroad, street railway, electric light, gas, telegraph, telephone, water or steamboat company, and no licensee conducting a horse or dog racing meeting under chapter one hundred and twenty-eight A, shall appoint, promote, reinstate, suspend or discharge any person employed or seeking employment by any such company or licensee at the request of the governor, lieutenant governor, or any member or member elect of the council or of the general court, or candidate therefor, justice of the supreme judicial court, justice of the superior court, judge of probate, judge of the land court, justice of a district court, district attorney, member or member elect of a board of county commissioners, or candidate for county commissioner, mayor or mayor elect of a city, or candidate therefor, member or member elect of a board of aldermen, or selectmen, or city council, or any executive, administrative or judicial officer, clerk or employee of any branch of the government of the commonwealth or of any county, city or town; nor shall any such public officer or body, or any member or member elect thereof or candidate therefor, directly or indirectly advocate, oppose or otherwise interfere in, or make any request, recommendation, endorsement, requirement or certificate relative to, and the same, if made, shall not be required as a condition precedent to, or be in any way regarded or permitted to influence or control, the appointment, promotion, reinstatement or retention of any person employed or seeking employment by any such company or licensee, and no such person shall solicit, obtain, exhibit, or otherwise make use of any such official request, recommendation, certificate or endorsement in connection with any existing or desired employment by a public service corporation or by any such licensee. Any person or corporation violating any provision of this section shall be punished by a fine of not less than fifty nor more than one hundred dollars.

G. L. (Ter. Ed.), 271, § 40, amended.

Employment, discharge, etc., by horse and dog track licensees, restricted.

Penalty.

Approved April 15, 1954.

Chap.324 AN ACT TO IMPOUND NOTICES OF INTENTION OF MARRIAGE
AND MARRIAGE RECORDS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 46,
§ 2A, etc.,
amended.

Examination
of certain
records,
restricted.

Section 2A of chapter 46 of the General Laws, as most recently amended by section 1 of chapter 269 of the acts of 1939, is hereby further amended by inserting after the word "seven", in line 6, the words: —, or those of illegitimate persons, — and by inserting after the word "birth", in line 9, the words: — or marriage, — so as to read as follows: — *Section 2A.* Examination of records and returns of illegitimate births, or abnormal sex births, or of the notices of intention of marriage and marriage records in cases where a physician's certificate has been filed under the provisions of section twenty A of chapter two hundred and seven, or those of illegitimate persons, or of copies of such records in the office of the state secretary, shall not be permitted except upon proper judicial order, or upon request of a person seeking his own birth or marriage record, or his attorney, parent, guardian, or conservator, or a person whose official duties, in the opinion of the town clerk or state secretary, as the case may be, entitle him to the information contained therein, nor shall certified copies thereof be furnished except upon such order, or the request of such person.

Approved April 15, 1954.

Chap.325 AN ACT AUTHORIZING CERTAIN MEMBERS OF POLICE DE-
PARTMENTS TO BE EXCUSED FROM DUTY AT CERTAIN
TIMES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 147,
§ 17, etc.,
amended.

Certain off-
duty activities
of police
officers, per-
mitted.

Section 17 of chapter 147 of the General Laws, as most recently amended by section 2 of chapter 346 of the acts of 1951, is hereby further amended by adding at the end the following sentence: — Members of police departments may be excused from duty and from attendance at a police station or other place for not more than two days in any year without loss of pay while in attendance as an official delegate at the Massachusetts Police Association convention held within the commonwealth. *Approved April 15, 1954.*

Chap.326 AN ACT RELATIVE TO INDEMNIFICATION OR PROTECTION OF
CERTAIN STATE OFFICERS AND EMPLOYEES IN CONNECTION
WITH ACTIONS FOR PERSONAL INJURIES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 12,
new § 3D,
added.

Duty of
attorney
general in
connection
with certain

Chapter 12 of the General Laws is hereby amended by inserting after section 3C, inserted by chapter 337 of the acts of 1947, the following section: — *Section 3D.* Upon the filing with the attorney general of a written request by any officer or employee of the department of mental health or public health, that the attorney general defend him against

an action for damages for bodily injuries or infections, physical or mental agony or pain, death of any person, or any damage to property of another on the hospital grounds, arising out of the operation of said department of mental health or public health, the attorney general shall, if after investigation it appears to him that such officer or employee was at the time the cause of action arose acting within the scope of his official duties or employment, take over the management and defence of such action. The attorney general may adjust or settle any such action at any time before, during or after trial, if he finds after investigation that the plaintiff is entitled to damages from such officer or employee, and in such case there shall be paid from the state treasury for settlement in full of such action from such appropriation as may be made by the general court for the purposes of this section such sum, not exceeding five thousand dollars on account of injury to or death of one person and not exceeding five thousand dollars on account of damage to property, as the attorney general shall determine to be just and reasonable and as the governor and council shall approve. If an execution issued on a final judgment in such an action is presented to the state treasurer by an officer qualified to serve civil process and if there is also presented to or on file with said state treasurer a certificate of the attorney general certifying that said execution was issued on a judgment in an action in which he appeared for and defended the defendant in accordance with the provisions of this section, there shall be paid from the state treasury from the appropriation above referred to the amount of the execution, including costs and interest, up to but not in excess of the respective limits hereinabove set forth.

actions
against state
personnel.

Approved April 15, 1954.

AN ACT RELATIVE TO THE ISSUANCE OF GENERAL OR BLANKET
ACCIDENT AND HEALTH INSURANCE POLICIES. Chap.327

Be it enacted, etc., as follows:

Subdivision (A) of section 110 of chapter 175 of the General Laws is hereby amended by inserting after the word "associations", in line 19, as appearing in section 1 of chapter 532 of the acts of 1952, the following: — ; or (i) any association of employers or employees in the same or related industry having a constitution and by-laws and formed in good faith for purposes other than that of obtaining insurance for its association members and employees.

G. L. (Ter.
Ed.), 175,
§ 110, etc.,
amended.

Issuance of
certain in-
surance
policies.

Approved April 15, 1954.

AN ACT INCREASING CERTAIN FEES OF CLERKS OF COURTS
AND CLERKS OF DISTRICT COURTS. Chap.328

Be it enacted, etc., as follows:

SECTION 1. Section 22 of chapter 218 of the General Laws, as amended by chapter 310 of the acts of 1937, is

G. L. (Ter.
Ed.), 218,
§ 22, etc.,
amended.

Small claims
procedure.
Fee.

hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The procedure shall include the beginning of actions with an entry fee of one dollar and twenty-five cents but without writ, and without requirement, except by special order of court, of other pleading than a statement to the clerk or an assistant clerk, who shall reduce the same to concise written form in a docket kept for the purpose.

G. L. (Ter.
Ed.), 262,
§ 2, etc.,
amended.

Fees in district
courts.

SECTION 2. Chapter 262 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 119 of the acts of 1950, and inserting in place thereof the following section: — *Section 2.* The fees of the clerks of district courts, in civil actions, shall be in the following amounts, payable in advance: —

(a) For a blank writ of attachment with summons or any other blank writ or summons, ten cents.

(b) For the entry of an action, petition or complaint, except supplementary proceedings, including filing of papers and entering up and recording judgment, two dollars.

(c) For the entry of supplementary proceedings under chapter two hundred and twenty-four, one dollar and twenty-five cents, which, together with the fees of witnesses and officers in such proceedings, shall be allowed the creditor as costs. For notice to plaintiff or creditor of the desire of defendant or debtor to submit to examination under said chapter, three dollars. The plaintiff or creditor making affidavit to the court as provided in section two or six of said chapter shall pay a fee of one dollar, which, together with any sums paid under section twelve of said chapter, shall be allowed the plaintiff or creditor in his costs.

(d) For each order of notice, citation or precept, seventy-five cents.

(e) For a commission to take deposition, seventy-five cents.

(f) For a writ of habeas corpus, one dollar.

(g) For a certificate of judgment or other proceeding, seventy-five cents.

(h) For an attested copy of docket entries, one dollar.

(i) For an unattested copy of a paper, fifty cents a legal page.

(j) For an attested copy of a paper, sixty cents a legal page.

(k) For approving or disapproving by the court of sureties on bonds or recognizances, except bonds given for removal of actions to the superior court, two dollars.

(l) For waiver of notice of marriage, one dollar.

G. L. (Ter.
Ed.), 262, § 4,
amended.

SECTION 3. Section 4 of said chapter 262 is hereby amended by striking out, in lines 3 and 7, as appearing in the Tercentenary Edition, the word "five" and inserting in place thereof, in each instance, the word: — ten.

Effective date.

SECTION 4. This act shall take effect on October first in the current year.

Approved April 20, 1954.

AN ACT CLARIFYING CERTAIN PROVISIONS OF THE FORMULA *Chap. 329*
FOR STATE AID FOR CONSTRUCTION OF SCHOOL BUILDINGS.

Be it enacted, etc., as follows:

Chapter 645 of the acts of 1948 is hereby amended by striking out section 9, as most recently amended by section 2 of chapter 528 of the acts of 1950, and inserting in place thereof the following section: — *Section 9.* The commission shall, not later than July first of each year, certify to the comptroller, and the state treasurer shall within thirty days thereafter pay to the several cities, towns and districts, from any amounts appropriated therefor, the amounts due them in accordance with the provisions of the following clauses: —

(a) The total construction grant for any approved school project in any city or town shall be one fourth of the product of the final approved cost of the project multiplied by the equalized valuation per pupil in net average membership for the entire commonwealth divided by the equalized valuation per pupil in net average membership of the city or town; provided, however, that no grant shall be approved for an amount less than twenty per cent or more than fifty per cent of such approved cost;

(b) The total construction grant for any approved school project in any regional school district shall be one third of the product of the final approved cost of the project multiplied by the equalized valuation per pupil in net average membership for the entire commonwealth divided by the total equalized valuation per pupil in the total net average membership of the towns comprising such district; provided, however, that no grant shall be approved for any amount less than thirty-five per cent or more than sixty-five per cent of such approved cost;

(c) In determining the construction grant for any school project under clauses (a) and (b), the commission shall use the net average membership for the last school year and the last equalized valuation for the cities, towns and the commonwealth both next prior to the date of the award of the contract for such approved school project.

Such total construction grant, in the case of any project to be financed from the proceeds of any sale of bonds or notes to the extent of fifty per cent or less of the approved cost thereof, shall be paid in five equal annual installments, beginning in the calendar year in which the construction of such project has been commenced. Such total construction grant, in the case of all other projects, shall be paid in equal parts to be determined by dividing such total grant by the number of years during which any indebtedness incurred for such projects shall remain outstanding. Such annual payments shall begin in the calendar year in which the first payment of principal on account of such indebtedness shall become due and payable, or in nineteen hundred and forty-nine, whichever is later.

Approved April 20, 1954.

Chap.330 AN ACT RELATIVE TO THE POWERS OF TEMPORARY CONSERVATORS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 201, § 21, etc., amended.

Powers and duties of temporary conservators.

Section 21 of chapter 201 of the General Laws, as most recently amended by section 3 of chapter 571 of the acts of 1953, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—A temporary conservator shall have the same powers and duties as a permanent conservator and may proceed and continue in the execution thereof, notwithstanding an appeal from the decree appointing him, until it is otherwise ordered by the supreme judicial court, or until the appointment of a permanent conservator or guardian or until the trust is otherwise legally terminated.

Approved April 20, 1954.

Chap.331 AN ACT ESTABLISHING A PENALTY FOR THE VIOLATION OF ANY RULE OR REGULATION MADE BY THE BOARD OF FIRE PREVENTION REGULATIONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 148, new § 10B, added. Penalty.

Chapter 148 of the General Laws is hereby amended by inserting after section 10A, amended by chapter 479 of the acts of 1945, the following section:—*Section 10B.* Any person who knowingly violates any rule or regulation made by the board of fire prevention regulations shall, except as otherwise provided, be punished by a fine of not less than twenty-five nor more than one hundred dollars.

Approved April 20, 1954.

Chap.332 AN ACT RELATIVE TO THE EMPLOYMENT OF ASSISTANTS, CONSULTANTS, AND OTHER PERSONS BY THE COMMISSIONER OF ADMINISTRATION.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 7, § 3, etc., amended.

Commissioner of administration may appoint assistants.

Section 3 of chapter 7 of the General Laws, as most recently amended by section 1 of chapter 717 of the acts of 1951, is hereby further amended by striking out the fifth and sixth sentences and inserting in place thereof the following sentence:—He may, subject to appropriation, appoint such additional assistants, consultants and other persons as the work of the office may require and may remove them.

Approved April 20, 1954.

Chap.333 AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF NANTUCKET TO LAY OUT AND MAINTAIN A RESERVATION AT SOUTH BEACH ON THE ISLAND OF NANTUCKET.

Be it enacted, etc., as follows:

The county commissioners of the county of Nantucket are hereby authorized to establish, lay out and maintain a

shore reservation, or reservation in that part of the Island of Nantucket called South beach and comprising approximately one and nine tenths acres of vacant, marshy and undeveloped land in accordance with the Plan of Josiah S. Barrett, Engineer, dated November 20, 1953; provided, that the cost of said project including the purchase of said land shall not exceed the sum of one thousand dollars.

Approved April 20, 1954.

AN ACT REQUIRING INSURERS UNDER THE COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE LAW TO FURNISH COPIES OF REPORTS OF MEDICAL EXAMINATIONS.

Chap.334

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 113I, inserted by chapter 274 of the acts of 1954, the following section: — *Section 113J.* Any company issuing or executing a motor vehicle liability policy or bond, both as defined in section thirty-four A of chapter ninety, which requests and makes a medical examination of a person injured in an accident involving a motor vehicle, shall, upon request of the injured party or his attorney, furnish said party or attorney with copies of reports of all medical examinations made by said insurer; provided, that such injured party shall, upon request of said insurer, furnish it with copies of reports of all medical examinations and treatment made by his attending physician or physicians.

G. L. (Ter. Ed.), 175, new § 113J, added. Certain medical reports to be furnished upon request by insurance companies.

Approved April 20, 1954.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF NANTUCKET TO LAY OUT AND MAINTAIN A RESERVATION AT SMITH'S POINT ON THE ISLAND OF NANTUCKET.

Chap.335

Be it enacted, etc., as follows:

The county commissioners of the county of Nantucket are hereby authorized to establish, lay out and maintain a shore reservation, or reservation in that part of the Island of Nantucket called Smith's Point and comprising approximately ninety-three and eight tenths acres of vacant and undeveloped land in accordance with Plan of Josiah S. Barrett, Engineer, dated November 18, 1953; provided, that the cost of said project including the purchase of said land shall not exceed the sum of one thousand dollars.

Approved April 20, 1954.

AN ACT AUTHORIZING THE COMMISSIONER OF NATURAL RESOURCES TO PERMIT LIMITED USE OF WATER FROM LAKE COCHITUATE AND TO GRANT CERTAIN INCIDENTAL RIGHTS IN CONNECTION THEREWITH.

Chap.336

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to authorize an immediate grant of the right to use water from a portion of Lake

Emergency preamble.

Cochituate for cooling purposes and to grant certain incidental rights in connection therewith, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The commissioner of natural resources may, notwithstanding any provision of chapter five hundred and fifty-seven of the acts of nineteen hundred and forty-seven, upon such reasonable terms and conditions as he may determine, and subject to the approval of the board of natural resources, the commissioner of public health, and the governor and council, grant to such persons as make application therefor the right to use for cooling purposes only water drawn from Lake Cochituate in the town of Natick, and in connection therewith may grant easements to lay, relay and maintain pipes and mains and appurtenances thereto, and to construct and maintain a pump house not larger than one hundred square feet at the base thereof, for the purpose only of housing suitable pumping equipment, in or upon lands of the commonwealth bordering on or under said lake which are situated north of and not more than twenty-two hundred feet distant from the Worcester turnpike, so called, and west of a line extending due north and south from the intersection of the center lines of the Saxonville branch of the Boston and Albany railroad and of the said Worcester turnpike. Any grant hereunder shall specify that any water taken from Lake Cochituate shall be returned to the lake undiminished except for loss by evaporation, leakage or the like, and that such water shall not be contaminated by oil, refuse or other harmful substance, or in any way rendered unsuitable for the uses provided for by chapter five hundred and fifty-seven of the acts of nineteen hundred and forty-seven.

In the event that any right or easement granted hereunder shall not be exercised within five years from the granting thereof, or such right or easement shall at any time remain unused for a continuous period of ten years, such right or easement shall terminate upon notice in writing by the commissioner of natural resources.

No use granted or conveyance made pursuant to the provisions of this act shall increase the amount of any payments due from the commonwealth as provided for under section five of chapter five hundred and fifty-seven of the acts of nineteen hundred and forty-seven.

Approved April 23, 1954.

Chap.337 AN ACT AUTHORIZING THE COMMISSIONER OF NATURAL RESOURCES TO SELL AND CONVEY CERTAIN LAND OF THE COMMONWEALTH IN THE TOWN OF NATICK.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to authorize an immediate sale and conveyance of certain land of the common-

wealth in the town of Natick, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Subject to the approval of the governor and council, the commissioner of natural resources, in the name of and on behalf of the commonwealth, may, notwithstanding any provision of general or special law to the contrary, and for such consideration as he may determine, sell and make conveyances of any land under the control of the department of natural resources in the vicinity of Lake Cochituate, in the town of Natick, which is north of the Worcester turnpike, so called, and west of the Saxonville branch of the Boston and Albany railroad, and which is more than sixty feet from the shore line of said lake as determined by the commissioner, and which, in the opinion of the commissioner and the board of natural resources, is not necessary to the purposes for which Lake Cochituate and its adjacent land are held by said department of natural resources.

Approved April 23, 1954.

AN ACT AUTHORIZING THE TOWN OF MAYNARD TO USE CERTAIN *Chap.338*
PARK LAND FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Maynard is hereby authorized to use such portion of, or the whole of, certain park land located in said town, being the land annexed to the original John A. Crowe Park, except a strip thirty feet wide and parallel with the easterly boundary of John A. Crowe Park, and a strip seventy-five feet wide and parallel with the southerly boundary of said park, as the town, by vote at an annual or special town meeting taken within three years after the passage of this act, shall determine, for the erection of a public school building or for other school uses, and for all purposes incidental thereto; and after such vote, such land shall be under the same care and control as other school property.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1954.

AN ACT PROVIDING FOR THE ESTABLISHMENT OF A RIGHT OF *Chap.339*
WAY FOR PUBLIC ACCESS TO LAKE METACOMET IN THE TOWN
OF BELCHERTOWN.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Hampshire county are hereby authorized and directed to lay out in the town of Belchertown a right of way for public access to Lake Metacomet in said town, in accordance with plans to be approved by the department of public works and showing the location and dimensions of such right of way. If it is

necessary to acquire land for the purpose of laying out such right of way, said county commissioners shall, at the time such right of way is laid out, take such land by eminent domain under chapter seventy-nine of the General Laws. Any person sustaining damages in his property by the laying out of such a right of way, or by specific repairs or improvements thereon, shall be entitled to recover the same under said chapter seventy-nine; provided, that the right to recover damages, if any, by reason of the laying out of such right of way, shall vest upon the recording of the order of taking by said county commissioners and that no entry or possession for the purpose of constructing a public way on land so taken shall be required for the purpose of validating such taking or for the payment of damages by reason thereof.

SECTION 2. The selectmen of the town of Belchertown from time to time may make specific repairs on or improve such right of way to such extent as they may deem necessary, but neither the county of Hampshire, nor any city or town therein, shall be required to keep such right of way in repair, nor shall they be liable for injury sustained by persons traveling thereon; provided, that sufficient notice to warn the public is posted where such way enters upon or unites with an existing public way.

SECTION 3. All expenses incurred by said county commissioners in connection with such right of way shall be borne by the county of Hampshire, or by such cities and towns therein and in such proportions as said county commissioners may determine.

SECTION 4. Said right of way shall not be discontinued or abandoned without authority therefor from the general court.

SECTION 5. Nothing in this act shall be construed to limit the powers of the department of public health, or of any local board of health, under any general or special law.

Approved April 26, 1954.

**Chap.340 AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE
DEPARTMENT OF PUBLIC WELFARE.**

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 118A,
§ 10, etc.,
amended.

Section 10 of chapter 118A of the General Laws, as most recently amended by section 10 of chapter 602 of the acts of 1952, is hereby further amended by inserting after the word "selectmen", in line 25, the words: — and boards of public welfare.

Approved April 26, 1954.

**Chap.341 AN ACT RELATIVE TO THE EXEMPTION OF CERTAIN CHURCH
DWELLINGS FROM TAXATION.**

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 59,
§ 5, etc.,
amended.

Clause Eleventh of section 5 of chapter 59 of the General Laws is hereby amended by inserting after the word "held" in line 5, as appearing in chapter 317 of the acts of 1938, the

words:—, and including the official residence occupied by a district superintendent of the Methodist Church.

Approved April 26, 1954.

AN ACT INCREASING THE NUMBER OF ASSISTANT CLERKS OF THE SUPERIOR COURT FOR CIVIL BUSINESS IN THE COUNTY OF SUFFOLK. Chap.342

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 221 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 2, the word "fourteen" and inserting in place thereof the word:— sixteen,— so as to read as follows:— *Section 6.* The justices of the superior court may appoint, for a term of three years from the date of their appointment, sixteen assistant clerks of said court for civil business in the county of Suffolk, one of whom shall perform the duties of clerk pertaining to the equity proceedings in said court.

G. L. (Ter. Ed.), 221, § 6, amended.

Assistant court clerks for Suffolk county superior court.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1954.

AN ACT PROVIDING THAT PERSONS RECEIVING PENSIONS OR RETIREMENT ALLOWANCES WHO ARE ELECTED TO CERTAIN POSITIONS BY THE COUNCIL IN PLAN E CITIES MAY RECEIVE COMPENSATION THEREFOR. Chap.343

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay that persons receiving pensions or retirement allowances and who are elected to certain positions by the council in Plan E cities may receive compensation therefor, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section 91 of chapter 32 of the General Laws, as amended, is hereby further amended by striking out the sentence amended by chapter 264 of the acts of 1950 and inserting in place thereof the following sentence:— Notwithstanding the foregoing provisions of this section or similar provisions of any special law, a person who, while receiving such a pension or retirement allowance, is appointed for a term of years to a position by the governor with or without the advice and consent of the council or is appointed for a term of years to a position by the mayor or city manager of any city with or without confirmation by the city council or in Plan E cities is elected for a term of years to a position by the city council shall be paid the compensation attached to the position to which he is appointed or elected; provided, that he files with the treasurer of the governmental unit paying such pension or allowance, a written statement wherein he waives and renounces for himself, his heirs and

G. L. (Ter. Ed.), 32, § 91, etc., amended.

Persons receiving pension or retirement allowances may receive compensation in certain cases.

his legal representatives his right to receive the same, for the period during which such compensation is payable.

Approved April 27, 1954.

Chap.344 AN ACT REMOVING THE RESTRICTIONS ON CERTAIN PROPERTY CONVEYED BY THE COMMONWEALTH TO THE TOWN OF WALPOLE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 376 of the acts of 1948 is hereby amended by striking out the last sentence, as amended by chapter 157 of the acts of 1949.

SECTION 2. This act shall take effect upon its acceptance by a vote of an annual or special town meeting in the town of Walpole.

Approved April 27, 1954.

Chap.345 AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO ACQUIRE A CERTAIN PARCEL OF LAND ADJACENT TO THE PITTSFIELD STATE FOREST.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of natural resources, acting in behalf of the commonwealth, may take by eminent domain under the provisions of chapter seventy-nine of the General Laws, or may acquire by gift, purchase or otherwise a certain parcel of land on Lebanon Mountain in the town of Hancock, bounded and described as follows: — Beginning at an iron pipe in the northerly line of the state highway leading from Pittsfield westerly to the New York state boundary, being known as Federal Route 20, said iron pipe being opposite Station 98 + 68.92 on the recorded Plan of the 1938 Alteration of said state highway, said iron pipe being also at the southwesterly corner of land conveyed by William T. Butler and Gilbert M. Brewer to Joseph Bouchard, by deed dated December 22, 1939, and recorded with Northern Berkshire Registry of Deeds at Adams, Mass., in Book 434, Page 3; running thence westerly, northwesterly and northerly along the line of said state highway to a point opposite Station 142 + 38.37 as shown on the location plan of said state highway; thence leaving said state highway line and running S. 58° 51' 20" E. on the southerly line of the commonwealth of Massachusetts, 3,310 feet more or less to the northwesterly corner of said land so conveyed to Joseph Bouchard; running thence southerly in the westerly line of said land so conveyed to said Bouchard, 1,830 feet more or less to the place of beginning, and containing approximately 125 acres more or less.

SECTION 2. For the purposes of this act, there may be expended by the department of natural resources from item 4010-21 of section two of chapter six hundred and thirty-two of the acts of nineteen hundred and fifty-two sums not exceeding twenty-five thousand dollars.

Approved April 27, 1954.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 5, 1954.

Honorable EDWARD J. CRONIN, *Secretary of the Commonwealth,
State House, Boston, Massachusetts.*

SIR: — I, Christian A. Herter, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measure", do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the twenty-seventh day of April in the year one thousand nine hundred and fifty-four, being Chapter 345 of the Acts of 1954, entitled, "An Act Authorizing the Department of Natural Resources to Acquire a Certain Parcel of Land Adjacent to the Pittsfield State Forest", should take effect forthwith and that it is an emergency law, and that facts constituting the emergency are as follows:

The delayed operation of this legislation would make it impossible for the Department of Natural Resources to take title to the land in time to meet the needs of the summer season, as well as take advantage of the appropriation made in 1952 to pay for the land.

Very truly yours,

CHRISTIAN A. HERTER,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 5, 1954.

I, Edward J. Cronin, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at three o'clock and forty-eight minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and forty-five of the acts of nineteen hundred and fifty-four.

EDWARD J. CRONIN,
Secretary of the Commonwealth.

AN ACT RELATIVE TO PRELIMINARY STUDIES FOR THE PURPOSE OF REIMBURSEMENT BY THE COMMONWEALTH FOR THE CONSTRUCTION OF CONSOLIDATED AND REGIONAL SCHOOLS. Chap.346

Be it enacted, etc., as follows:

Chapter 645 of the acts of 1948 is hereby amended by striking out section 6 and inserting in place thereof the two following sections: — *Section 6.* Any regional school district may apply to the commission for reimbursement, in

whole or in part, of any expenses incurred on or after January first, nineteen hundred and forty-six, for educational, engineering and architectural services incidental to the planning of a regional school. Architectural services shall include preliminary studies, preliminary plans, working drawings and specifications, estimates and all other work customarily performed by an architect for the construction of a school prior to the execution of the construction contract by the awarding authority. Such application shall be accompanied by copies of such studies, plans, working drawings, specifications and estimates together with such additional information as the commission may require. The said commission may, if it is satisfied that the plans so submitted are satisfactory with respect to site, type and adequacy of the proposed construction for an approved school project in a regional school district and in the best interest of the respective towns, and the expenses so incurred are reasonable, certify to the comptroller for payment to such regional school district such amount, not exceeding such expenses, as it may deem proper, and the state treasurer shall forthwith make the payments so certified from any funds appropriated therefor.

Section 6A. Any city, town or regional school district may apply to the commission for reimbursement, in whole or in part, of any expenses incurred on or after January first, nineteen hundred and forty-six, for surveys made of school building needs and conditions, the contract for which has been approved by the commission. The said commission may, upon completion of the survey, certify to the comptroller for payment to the city, town or regional school district such amount, not exceeding such expenses, as it may deem proper, and the state treasurer shall forthwith make the payments so certified from any funds appropriated therefor.

Approved April 27, 1954.

Chap. 347 AN ACT PROVIDING THAT THE SALARIES OF THE CLERKS AND ASSISTANT CLERKS OF THE MUNICIPAL COURT OF THE CITY OF BOSTON SHALL NOT BE REDUCED BY REASON OF THE APPOINTMENT OF A CHIEF JUSTICE OF SAID COURT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section two A of chapter seven hundred and forty-nine of the acts of nineteen hundred and fifty-one, the salaries in effect on the effective date of this act, of the clerks and assistant clerks of the municipal court of the city of Boston in office on said date, shall not be reduced solely by reason of an appointment of a chief justice of said court.

SECTION 2. This act shall take effect as of April first, nineteen hundred and fifty-four. *Approved April 28, 1954.*

AN ACT PERMITTING TEACHERS UNDER CERTAIN CONDITIONS TO REMAIN IN SERVICE UNTIL THE END OF THE SCHOOL YEAR IN WHICH THE MAXIMUM AGE IS ATTAINED. *Chap.348*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make certain provisions of law relative to retirement of teachers become effective for the present school year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Subdivision (1) of section 5 of chapter 32 of the General Laws is hereby amended by inserting after paragraph (e) the following paragraph: — G. L. (Ter. Ed.), 32, § 5, amended.

(f) Notwithstanding any other provision in paragraph (a) of this subdivision, any teacher who attains the maximum age for retirement in any school year may, upon the written request for the continued employment of such teacher by the employing school committee or other employer filed in the office of the board not more than ninety days and not less than thirty days prior to the attaining of said maximum age, remain in service until the end of said school year, whereupon said service shall cease and retirement shall then become effective; provided, that no regular deductions for the retirement fund shall be made from any salary for service beyond the date when the maximum age was attained. Any member who, under the provisions of this paragraph, is permitted to remain in service beyond the maximum age shall, at any time, upon his written application on a prescribed form, be retired for superannuation as of a date which shall be specified in such application, and which shall be not less than thirty days and not more than four months after the date such application is on file in the office of the board, but in no event later than the end of the school year in which he attains the maximum age. The retirement allowance from the date of retirement of a person who remains in service under this paragraph beyond the maximum age shall be at an annual rate equal to that to which he would have been entitled had retirement taken effect at said maximum age. Retirement of certain teachers, regulated.

Approved April 28, 1954.

AN ACT PROVIDING FOR FREE EGRESS OF EMPLOYEES IN CASE OF FIRE IN CERTAIN INDUSTRIAL ESTABLISHMENTS. *Chap.349*

Be it enacted, etc., as follows:

Section 126 of chapter 149 of the General Laws, as amended by chapter 528 of the acts of 1945, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — No inside or outside door of any building subject to the supervision of the department which, under the provisions of section twenty-one of chapter one hundred and forty-three, is required as a means of free G. L. (Ter. Ed.), 149, § 126, etc., amended.

Fire precautions in certain industrial establishments, required.

egress or escape from fire, and no inside or outside door of any industrial establishment in which ten or more persons are employed which is marked "exit" or in any other manner designating the same as a means of egress or escape from fire shall, during business hours, be so locked, bolted or fastened that such door cannot be opened from the inside by the use of the ordinary door knob, or by pressure on the door or on a panic release device, so called.

Approved April 28, 1954.

**Chap.350 AN ACT REGULATING THE DISMISSAL OF CERTAIN TEACHERS
IN STATE TEACHERS COLLEGES.**

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 73,
new § 4B,
added.

Dismissal
of certain
teachers,
regulated.

Chapter 73 of the General Laws is hereby amended by inserting after section 4A the following section: — *Section 4B.* A teacher in a state teachers college who has served as such in the state teachers colleges continuously for the three previous years, notwithstanding any contrary provision of general or special laws, shall not be dismissed from such employment except for just cause, and for reasons specifically given him in writing by the department of education. Before any such removal is effected, the said teacher, upon his request, shall be given a full hearing before the said department of which hearing he shall have at least thirty days written notice from the said department, and he shall be allowed to answer charges preferred against him either personally or by counsel.

Approved April 28, 1954.

**Chap.351 AN ACT TO FURTHER EXEMPT FROM TAXATION CERTAIN
REAL ESTATE OWNED BY PERSONS OVER SEVENTY YEARS
OF AGE.**

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 59,
§ 5, etc.,
amended.

Certain real
estate to be
exempt from
taxation
under certain
conditions.

Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Seventeenth, as most recently amended by section 1 of chapter 227 of the acts of 1941, and inserting in place thereof the following clause: —

Seventeenth, Subject to section five A, real estate, to the value of two thousand dollars, of a widow, or of any minor whose father is deceased, occupied by such widow, or minor as her or his domicile, or a person or persons over the age of seventy who has owned and occupied it as a domicile for not less than ten years; provided, that the whole estate, real and personal, of such widow, person or minor does not exceed in value the sum of eight thousand dollars, exclusive of property otherwise exempt under the twelfth, twentieth and twenty-first clauses of this section and exclusive of the value of the mortgage interest held by persons other than the person or persons to be exempted in such mortgaged real estate as may be included in such whole estate. No real estate shall be so exempt which the assessors shall ad-

judge has been conveyed to such widow, person or minor to evade taxation. A widow, person or minor aggrieved by any such judgment may appeal to the county commissioners or to the appellate tax board within the time and in the manner allowed by section sixty-four or sixty-five, as the case may be.

Approved April 28, 1954.

AN ACT RELATIVE TO THE VACATION TIME OF PERSONS HOLD-
ING NON-TEACHING POSITIONS. Chap.352

Be it enacted, etc., as follows:

SECTION 1. Chapter 29 of the General Laws is hereby amended by inserting after section 31B, inserted by section 2 of chapter 580 of the acts of 1946, the following section: —

Section 31C. Any officer or employee of the commonwealth, employed in a non-teaching position in any school or college within any department of the commonwealth, whose regular service is rendered between September first and June thirtieth, may be granted the vacation leave to which he is entitled either during the period of his regular service, or after the expiration of said period, as is determined by the employing authority of such officer and employee. Funds made available by appropriation for the payment of personal services required in the operation and maintenance of such schools shall be available for the payment of vacations, which, under the authority of this section, are granted to be taken after the termination of the period of regular service of an officer or employee subject to this section.

G. L. (Ter. Ed.), 29, new § 31C, added.

Vacation time of certain non-teaching positions, regulated.

SECTION 2. This act shall take effect as of July first, nineteen hundred and fifty-three.

Effective date.

Approved April 28, 1954.

AN ACT REPEALING THE EXCISE ON TRANSFERS OF CERTIFICATES OF STOCK. Chap.353

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to repeal the excise on transfers of certificates of stock forthwith, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter sixty-four of the General Laws is hereby repealed.

G. L. (Ter. Ed.), 64, repealed.

SECTION 2. Unused stock transfer stamps in the hands of taxpayers on the effective date of this act shall be redeemed by the state treasurer upon certification by the state tax commission that said stamps have been returned to it and destroyed. Applications for redemption must be filed within six months from said effective date on a form prescribed by the state tax commission.

Redemption of unused stock transfer stamps.

SECTION 3. This act shall take effect on May first of the current year.

Effective date.

Approved April 29, 1954.

Chap.354 AN ACT RELATIVE TO THE TAXATION OF THE BONDS OF THE MASSACHUSETTS TURNPIKE AUTHORITY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available at once the exemptions granted therein, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 63,
§ 12, etc.,
amended.

Section 12 of chapter 63 of the General Laws is hereby amended by inserting after paragraph (k), inserted by chapter 292 of the acts of 1953, the following paragraph:—

(l) Bonds issued by the Massachusetts Turnpike Authority.

Approved April 29, 1954.

Chap.355 AN ACT INCREASING THE RENEWAL FEES FOR CERTIFICATES OF REGISTRATION OF BARBER SHOPS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase forthwith the renewal fees for certificates of registration for barber shops, which certificates expire on the thirtieth day of June of each year, therefore, this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 112,
§ 87H, etc.,
amended.

The second paragraph of section 87H of chapter 112 of the General Laws, as most recently amended by chapter 319 of the acts of 1950, is hereby further amended by striking out the sixth sentence and inserting in place thereof the following sentence:—All certificates of registration for barber shops shall be renewed annually by filing applications therefor on forms supplied by the board and the payment of a fee of three dollars, and such renewal shall, unless cancelled, suspended or revoked, be in full force and effect until June thirtieth of the year following its issuance.

Approved April 29, 1954.

Chap.356 AN ACT PROVIDING FOR THE ABATEMENT OF TAXES ON PROPERTY AFFECTED BY THE DISASTER OF JUNE NINTH, NINETEEN HUNDRED AND FIFTY-THREE.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available immediately the tax abatements provided thereon on property affected by the disaster of June ninth, nineteen hundred and fifty-three, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, in respect to time for filing applications

for abatement of taxes on real estate affected by tornado loss, the board of assessors in each city or town affected by the tornado of June ninth, nineteen hundred and fifty-three, shall accept applications for abatement on real estate taxes for the year nineteen hundred and fifty-three, as provided in chapter five hundred and sixty-eight of the acts of nineteen hundred and fifty-three, and grant relief therefor up to and including October first, nineteen hundred and fifty-four.

Approved April 29, 1954.

AN ACT AUTHORIZING AND DIRECTING ALL CITIES AND TOWNS TO MAKE A LISTING OF DOGS OWNED BY INHABITANTS SIMULTANEOUSLY WITH THE LISTING OF PERSONS TWENTY YEARS OF AGE OR OLDER SUBJECT TO A POLL TAX.

Chap. 357

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 150, as amended by section 12 of chapter 320 of the acts of 1934, and inserting in place thereof the following section:— *Section 150.* Persons authorized or directed by section four of chapter fifty-one or by any special law to make lists of persons twenty years of age or older liable to a poll tax shall make a list of all dogs owned by the inhabitants at the time of making lists required under such section and return the same in duplicate to the city or town clerk, or, in Boston, to the police commissioner on or before April first. An owner or keeper of a dog who refuses to answer or answers falsely to persons directed or authorized to make a list of the owners of dogs shall be punished by a fine of not less than ten dollars which, except in Suffolk county, shall be paid into the county treasury.

G. L. (Ter. Ed.), 140, § 150, etc., amended.

Annual listing of dogs, required.

Penalty.

Approved April 29, 1954.

AN ACT CREATING THE PLYMOUTH PAGEANT AUTHORITY.

Chap. 358

Be it enacted, etc., as follows:

SECTION 1. Within thirty days after the acceptance of this act by the town of Plymouth, as hereinafter provided, the board of selectmen in the town of Plymouth shall appoint five citizens of said town who, together with their successors in office, shall constitute the Plymouth Pageant Authority, hereinafter called the Authority. Of the persons first appointed, one shall be appointed to serve one year, one for two years, one for three years, one for four years and one for five years, and thereafter as the term of each member expires his successor shall be appointed for a term of five years by said board. The member originally appointed for the term of five years shall serve as chairman for a period of one year, and thereafter the members of the Authority shall elect its own chairman annually.

The members of the Authority shall serve without pay, but shall be reimbursed out of the funds of the Authority

or out of any funds which may be appropriated by the town of Plymouth as hereinafter provided for all necessary expenses, including travel outside of the commonwealth, incurred in carrying out the provisions of this act.

SECTION 2. The town of Plymouth is hereby authorized to construct, equip and maintain an outdoor theatre and other incidental facilities in the town of Plymouth for the presentation of historical, musical, religious, dramatic or other cultural performances for the entertainment or benefit of the residents of said town and its many visitors, and for such purposes to transfer the care, custody and maintenance of said theatre and facilities to the Authority.

SECTION 3. The Authority shall make rules and regulations governing the use of said facilities and shall make its facilities available to any municipal, historical, religious, civic, patriotic, charitable or similar organization not organized for profit for the production of cultural presentations to which admission may be charged, and may establish and collect rental charges for the use of said facilities.

SECTION 4. The Authority is hereby authorized to use such portion of Morton park in said town as is necessary for the purpose of constructing its facilities, and may build roads and ways or relocate existing ways to provide safe and proper access to and egress from its facilities, and may provide areas for the parking of motor vehicles.

SECTION 5. For the purpose of providing the necessary funds for the construction and original equipping and furnishing of the outdoor theatre and other incidental facilities authorized by section two of this act, the town of Plymouth is authorized to borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred and twenty-five thousand dollars, and may issue bonds or notes payable in not more than fifteen years, which shall bear on their face the words, Plymouth Pageant Authority, Act of 1954. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 6. All funds received by the Authority from rentals, gifts, bequests or any other sources shall be deposited with the town treasurer, who shall retain said funds in a special account and use to defray interest charges and amortization of its bonds. Any balance in said account remaining after the payment of said charges shall be disbursed by the treasurer as ordered by the Authority for payment of its proper expenses and charges. The town of Plymouth is hereby authorized to appropriate from time to time for the use of said Authority such sums as may be voted under an appropriate article at any annual or special town meeting.

SECTION 7. The Authority may employ experts, clerks and other employees, and may enter into contracts with

individuals, firms or corporations in order to carry out the provisions of this act.

SECTION 8. This act shall be submitted to the qualified voters of the town of Plymouth for acceptance at the biennial state election in the current year in the form of the following question which shall be placed on the official ballot to be used in said town at said election: — "Shall an act passed by the General Court in the year nineteen hundred and fifty-four entitled 'An Act Creating the Plymouth Pageant Authority', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, then this act shall take full effect, but not otherwise.

Approved April 29, 1954.

AN ACT AUTHORIZING THE METROPOLITAN TRANSIT AUTHORITY TO ERECT AND MAINTAIN A STATION TO BE KNOWN AS SCIENCE PARK STATION.

Chap. 359

Be it enacted, etc., as follows:

SECTION 1. The Metropolitan Transit Authority is hereby authorized and directed to erect and maintain a station and facilities for passengers at the Leverett Street Circle between the North Station and Lechmere Station in the city of Boston. Said station shall be known as Science Park Station and its western approach is to be tied in to the metropolitan district commission pedestrian overpass now being constructed across Charles street, adjacent to said traffic circle.

SECTION 2. For the purpose of providing funds for, or of restoring to the treasury of the Authority funds expended for, performing the work to be done by the Authority under this act, which work shall be deemed to be an alteration in a rapid transit facility under paragraph (i) of section eight A of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven, the Authority may from time to time issue, and the Boston metropolitan district, hereinafter referred to as the district, shall purchase bonds of the Authority under and in accordance with paragraph (j) of said section eight A. Except as herein otherwise expressly provided, all the provisions of said paragraph (j) and of paragraph (l) of said section eight A shall apply to the issue, refunding and payment of the bonds which the Authority and the district are authorized to issue under this act in the same manner and to the same extent as though the issue of such bonds were specifically authorized by said paragraph (j). All the provisions of paragraph (i) of said section eight A shall apply to the alteration in a rapid transit facility authorized by this act in the same manner and to the same extent as if said alteration were specifically authorized by said paragraph (i); provided, however, that the total amount of bonds issuable by the Authority under said paragraph (j) for alterations made under said paragraph (i) is not hereby increased.

SECTION 3. This act shall take full effect upon its acceptance by the advisory board established under chapter four hundred and four of the acts of nineteen hundred and fifty-two, but not otherwise. *Approved April 29, 1954.*

Chap.360 AN ACT AUTHORIZING THE TOWN OF DUNSTABLE TO PURCHASE A LOT OF LAND IN THE TOWN OF TYNGSBOROUGH FOR RECREATIONAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Dunstable is hereby authorized to purchase for recreational purposes a lot of land in the town of Tyngsborough, situated in the northwesterly side of Pond street, sometimes called Massapoag Pond road, bounded and described as follows: — Beginning at the most easterly corner of the premises on the northwesterly side of said road at a stone bound, and at the southerly corner of land supposed to belong, now or formerly to A. G. Pike, thence S 41° 3' W along said road 422 feet to a stone bound at land conveyed this day by Elden I. Staples to Natalie Staples, thence N 13° 39' W along said last mentioned land 315 feet to Massapoag pond, thence westerly by pond about 183 feet to a maple tree on the shore of said pond at land of said Pike, thence S 69° 34' E by said last mentioned land 198 feet to the point of beginning, containing 1.53 acres, being the lot of land conveyed by Elden I. Staples to Dana R. Staples by deed dated January eighteenth, nineteen hundred and forty-three, and recorded in Middlesex northern district registry of deeds, Book 988, Page 179.

SECTION 2. The town of Dunstable is hereby authorized to pay each year to the town of Tyngsborough an amount equal to that which said last-mentioned town would receive for taxes upon the assessed value of the land purchased under the provisions of this act, as determined by the board of assessors of said last-mentioned town.

SECTION 3. The town of Dunstable is hereby authorized to appropriate each year such sums, not exceeding two hundred dollars, as may be necessary to meet the cost of maintaining the land so purchased.

SECTION 4. This act shall take full effect upon its acceptance by vote of the town of Tyngsborough at a town meeting called for the purpose, but not otherwise.

Approved April 29, 1954.

Chap.361 AN ACT CHANGING THE NAME OF THE GENERAL EDWARD LAWRENCE LOGAN AIRPORT.

Be it enacted, etc., as follows:

Section 8 of chapter 528 of the acts of 1943 is hereby amended by inserting after the word "Logan", in line 2, the word: — International, — so as to read as follows: —
Section 8. Said airport shall be known and designated as

the General Edward Lawrence Logan International Airport, and a suitable tablet or marker bearing said designation shall be erected at said airport by the department.

Approved April 29, 1954.

AN ACT PROVIDING FOR THE INSTALLATION OF A SHOWER ROOM AT THE ARMORY IN THE TOWN OF CONCORD. *Chap.362*

Be it enacted, etc., as follows:

SECTION 1. The armory commission is hereby authorized to install a shower room in the basement of the armory in the town of Concord. For said purpose, said commission may expend a sum not exceeding ten thousand dollars upon the payment of said sum into the state treasury by said town of Concord. If any of said sum remains unexpended after the completion of said work, such remainder shall be repaid to said town to be used by the school committee for additional lockers.

SECTION 2. This act shall take effect upon its passage.

Approved May 3, 1954.

AN ACT AUTHORIZING THE LEICESTER WATER SUPPLY DISTRICT TO BORROW MONEY FOR WATER PURPOSES. *Chap.363*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of making improvements in the water system necessary for the proper protection, maintenance and extension of said system, the Leicester Water Supply District may borrow, from time to time, within a period of three years from the passage of this act, such sums of money as may be necessary, not exceeding, in the aggregate, ten thousand dollars, and may issue bonds or notes of the district therefor which shall bear on their face the words, Leicester Water Supply District Improvement Loan, Act of 1954. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be within the statutory limit of indebtedness for districts authorized by chapter forty-four of the General Laws, and, except as otherwise provided by this act, shall be subject to the applicable provisions of said chapter.

SECTION 2. This act shall take effect upon its passage.

Approved May 3, 1954.

AN ACT AUTHORIZING THE TOWN OF SANDWICH TO MAKE APPROPRIATIONS FOR MUNICIPAL ADVERTISING. *Chap.364*

Be it enacted, etc., as follows:

SECTION 1. The town of Sandwich may, by a majority vote, appropriate each year a sum not exceeding five hundred dollars for advertising the advantages of the town. The

money so appropriated by said town shall be expended under the direction of the selectmen.

SECTION 2. This act shall take effect upon its passage.
Approved May 3, 1954.

Chap.365 AN ACT AUTHORIZING THE TOWN OF SOUTHAMPTON TO PAY
A SUM OF MONEY TO CLAYTON MERCHAND.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Southampton is hereby authorized to appropriate or transfer from available funds and pay to Clayton Merchand of said town the sum of six hundred and fifty dollars to reimburse him for medical and hospital expenses incurred by him on account of injuries sustained on November second, nineteen hundred and fifty-three by his minor daughter, Sandra Elizabeth Merchand, in the yard of the Southampton school.

SECTION 2. Any action taken by the town meeting in the town of Southampton on February eighth, nineteen hundred and fifty-four pursuant to authority granted by this act shall be as valid and effective as though this act was in full force and effect at the time of the posting of the warrant for said meeting.

SECTION 3. This act shall take effect upon its passage.
Approved May 3, 1954.

Chap.366 AN ACT INCREASING THE AMOUNTS TO BE RETAINED FOR THE
BENEFIT OF THE TEACHERS' RETIREMENT FUND IN THE
CITY OF BOSTON FROM THE SALARIES OF MEMBERS OF SAID
FUND.

Emergency
preamble.

Whereas, The deferred operation of this act would prevent the holding of a certain meeting on the date prescribed therein, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 237 of the acts of 1900, as most recently amended by section 1 of chapter 200 of the acts of 1952, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The city treasurer of the city of Boston shall retain from the salary of every teacher coming under the provisions of this act who is paid in twelve monthly payments the sum of two dollars a month, and from the salary of every such teacher who is not so paid, the sum of twenty-four dollars a year in such instalments as the board of trustees shall approve.

SECTION 2. Said chapter 237 is hereby further amended by striking out section 9 and inserting in place thereof the following: — *Section 9.* No annuity shall be voted under

either section six or section seven unless at the time of the voting thereof the teacher has contributed to the general fund a sum equal to the aggregate of the amounts which, if he continued a teacher in the public day schools of the city of Boston for thirty years from the time he last became subject to this act, would be retained from his salary under section five, as from time to time amended; provided, however, that, if any teacher otherwise eligible for an annuity under either section six or section seven shall be unable to pay, before receiving an annuity, so much of said sum as shall not have been retained from his salary under section five of this act as from time to time amended, the board of trustees may in its discretion make to such teacher such monthly payments as in the opinion of said board the needs of such teacher may require.

SECTION 3. Section 10 of said chapter 237, as most recently amended by chapter 186 of the acts of 1939, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:— Upon the granting of said application, in whole or in part, by said board of trustees, said representative shall be entitled to receive, for the benefit of said estate, from the general fund, in full release and satisfaction of all claims and rights against the teachers' retirement fund, such sum, not exceeding one half of the total amount paid by such teacher into the general fund, as may be computed, fixed and granted by said board of trustees.

SECTION 4. This act shall take full effect upon its acceptance by a majority of all the votes cast at a special meeting to be held on the first Saturday of June in the current year by the teachers of the city of Boston who are included in chapter two hundred and thirty-seven of the acts of nineteen hundred, as amended; but not otherwise. It shall be the duty of the board of trustees of the fund created by said chapter two hundred and thirty-seven to call such special meeting and to give due notice thereof to all such teachers.

Approved May 3, 1954.

AN ACT RELATIVE TO THE CONDITIONS IMPOSED FOR THE REPAIR OF BACK STREET IN THE CITY OF BOSTON. *Chap. 367*

Be it enacted, etc., as follows:

Chapter 828 of the acts of 1950 is hereby amended by striking out, in lines 6 to 11, inclusive, the words "no expense shall be incurred for said reconstruction or repair until all the owners of said Back street have authorized said work and executed releases to said commission releasing the commission from any and all claims arising from said reconstruction or repair and from any liability thereafter for defects or want of repair in said Back street" and inserting in place thereof the words:— the commission shall not be liable for defects or want of repair in said Back street, — so as to read as follows:— The metropolitan district com-

mission is hereby authorized and directed to reconstruct or repair Back street in the city of Boston, or any part thereof, as part of the construction authorized by chapter two hundred and sixty-two of the acts of nineteen hundred and forty-nine; provided, that the commission shall not be liable for defects or want of repair in said Back street. No assessment shall be made on any owner or abutter for the cost of such reconstruction or repair; and the doing of such work shall not be deemed to obligate said commission to maintain said Back street. *Approved May 3, 1954.*

Chap.368

AN ACT TO AMEND THE ZONING ENABLING LAW.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 40, §§ 25-30B, stricken out.

G. L. (Ter. Ed.), new chapter 40A, added.

SECTION 1. Chapter 40 of the General Laws is hereby amended by striking out sections 25 to 30B, inclusive.

SECTION 2. The General Laws are hereby amended by inserting after chapter 40 the following new chapter:—

CHAPTER 40A.

ZONING REGULATIONS.

“The Zoning Enabling Act”.

General purposes.

Section 1. This chapter shall be known and may be cited as “The Zoning Enabling Act”.

Section 2. For the purpose of promoting the health, safety, convenience, morals or welfare of its inhabitants, any city, except Boston, and any town, may by a zoning ordinance or by-law regulate and restrict the height, number of stories, and size of buildings and structures, the size and width of lots, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, agriculture, residence or other purposes; provided, however, that no ordinance or by-law which prohibits or limits the use of land for any church or other religious purpose or for any religious, sectarian or denominational educational purpose shall be valid.

For any or all of such purposes a zoning ordinance or by-law may divide the municipality into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this chapter, and within such districts it may regulate and restrict the erection, construction, reconstruction, alteration or use of buildings, and structures, or use of land, and may prohibit noxious trades within the municipality or any specified part thereof. All such regulations and restrictions shall be uniform for each class or kind of buildings, structures or land, and for each class or kind of use, throughout the district, but the regulations and restrictions in one district may differ from those in other districts. Due regard shall be paid to the characteristics of the different parts of the city or town, and the zoning regulations in any city or town shall be the same for

zones, districts or streets having substantially the same character. A zoning ordinance or by-law may provide that lands deemed subject to seasonal or periodic flooding shall not be used for residence or other purposes in such a manner as to endanger the health or safety of the occupants thereof.

Section 3. Zoning regulations and restrictions shall be designed among other purposes to lessen congestion in the streets; to conserve health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the city or town; and to preserve and increase its amenities.

Section 4. A zoning ordinance or by-law may provide that exceptions may be allowed to the regulations and restrictions contained therein, which shall be applicable to all of the districts of a particular class and of a character set forth in such ordinance or by-law. Such exceptions shall be in harmony with the general purpose and intent of the ordinance or by-law and may be subject to general or specific rules therein contained. The board of appeals established under section fourteen of such city or town, or the city council of such city or the selectmen of such town, as such ordinance or by-law may provide, may, in appropriate cases and subject to appropriate conditions and safeguards, grant to an applicant a special permit to make use of his land or to erect and maintain buildings or other structures thereon in accordance with such an exception. Before granting such a special permit the board of appeals, or the city council or the selectmen if the ordinance or by-law so provides, shall hold a public hearing thereon, notice of which shall be given in accordance with section seventeen.

Section 5. Except as provided in section eleven, a zoning ordinance or by-law or any amendment thereof shall not apply to existing buildings or structures, nor to the existing use of any building or structure, or of land to the extent to which it is used at the time of adoption of the ordinance or by-law, but it shall apply to any change of use thereof and to any alteration of a building or structure when the same would amount to reconstruction, extension or structural change, and to any alteration of a building or structure to provide for its use for a purpose or in a manner substantially different from the use to which it was put before alteration, or for its use for the same purpose to a substantially greater extent. Such an ordinance or by-law may regulate non-use of non-conforming buildings and structures so as not to unduly prolong the life of non-conforming uses; provided, that no such ordinance or by-law shall so regulate the non-use of non-conforming land used for agriculture, horticulture or floriculture where such non-use has existed for less than five years.

Other purposes.

Exceptions to terms of zoning ordinances or by-laws, allowed.

Zoning ordinance or by-law, when inapplicable.

Adoption or
change of
zoning
ordinances
or by-laws,
regulated.

Section 6. Zoning ordinances or by-laws may be adopted and from time to time be changed by amendment, addition or repeal, but only in the manner hereinafter provided. No zoning ordinance or by-law originally establishing the boundaries of the district or the regulations and restrictions to be enforced therein, and no such ordinance or by-law changing the same as aforesaid, shall be adopted until after the planning board, if any, or, in a town having no such board, the board of selectmen, has held a public hearing thereon after due notice given and has submitted a final report with recommendations to the city council or town meeting, or until twenty days shall have elapsed after such hearing without the submission of such report; provided, that, in case of a proposed ordinance or by-law originally establishing the boundaries of the districts or the regulations and restrictions to be enforced therein, it shall be sufficient if a public hearing is held and a final report with recommendations is submitted by a zoning board appointed for the purpose by the city council or selectmen or twenty days elapse after such hearing without such report being submitted. No such ordinance as proposed to be originally established or changed as aforesaid shall be adopted until after the city council or a committee designated or appointed for the purpose by it has held a public hearing thereon, at which all interested persons shall be given an opportunity to be heard. At least twenty days' notice of the time and place of such hearing before the city council or committee thereof shall be published in an official publication, or a newspaper of general circulation, in the city or town. After such notice, hearings and report, or lapse of time without report, a city council or town meeting may adopt, reject, or amend and adopt any such proposed ordinance or by-law.

Changes, how
adopted.

Section 7. No change of any zoning ordinance or by-law shall be adopted except by a two-thirds vote of all the members of the city council where there is a commission form of government or a single branch, or of each branch where there are two branches, or by a two-thirds vote of a town meeting; provided, that in case there is filed with the city clerk prior to the close of the first hearing before the city council or committee thereof a written protest against such change, stating the reasons, duly signed by the owners of twenty per cent or more of the area of the land proposed to be included in such change, or of the area of the land immediately adjacent, extending three hundred feet therefrom, or of the area of other land within two hundred feet of the land proposed to be included in such change, no such change of any such ordinance shall be adopted except by a unanimous vote of all the members of the city council, whatever its form, if it consists of less than nine members or, if it consists of nine or more members, by a three-fourths vote of all the members thereof where there is a commission form of government or a single branch, or of each branch where there are two branches.

Section 8. After acceptance of this section or corresponding provisions of earlier laws as provided in section four of chapter four, no proposed ordinance or by-law making a change in any existing zoning ordinance or by-law, which has been unfavorably acted upon by a city council or town meeting, shall be considered on its merits by the city council or town meeting within two years after the date of such unfavorable action unless the adoption of such proposed ordinance or by-law is recommended in the final report of the planning board or selectmen required by section six.

Reconsideration after unfavorable action, limited.

Section 9. When zoning by-laws or any changes therein are submitted to the attorney general for approval as required by section thirty-two of chapter forty, there shall also be furnished to him a statement explaining clearly the by-laws or changes proposed, together with maps or plans, when necessary.

Submission to attorney general, regulated.

Section 10. A building, structure or land used or to be used by a public service corporation may be exempted from the operation of a zoning ordinance or by-law if, upon petition of the corporation, the department of public utilities shall, after public notice and hearing, decide that the present or proposed situation of the building, structure or land in question is reasonably necessary for the convenience or welfare of the public.

Certain exemptions to public service corporations, permitted.

Section 11. In a city, no zoning ordinance or amendment thereof shall affect any permit issued or any building or structure lawfully begun before notice of hearing before the planning board or the zoning board, as the case may be, or, if there is neither, before the city council, has first been given; and, in a town, no zoning by-law or amendment thereof shall affect any permit issued or any building or structure lawfully begun before notice of hearing before the planning board or the zoning board, as the case may be, or, if there is neither, before the selectmen, has first been given or before the issuance of the warrant for the town meeting at which such by-law or amendment is adopted, whichever comes first; provided, that construction work under such a permit is commenced within six months after its issue, and the work, whether under such permit or otherwise lawfully begun, proceeds in good faith continuously to completion so far as is reasonably practicable under the circumstances. The issuance of a permit or the beginning of work upon a building or structure, or a change of use, after such notice has been given or such warrant has been issued, shall not justify the violation of a zoning ordinance or by-law or an amendment thereto subsequently adopted as the outcome of such hearing and in substantial accord with such notice or warrant; provided, the subsequent steps required for the adoption of such ordinance or by-law or amendment thereto are taken in their usual sequence without unnecessary or unreasonable delay.

Inapplicable to building permits already granted or work begun.

Section 12. The inspector of buildings in a city or town, or the officer or board having supervision of the construction

Withholding of certain permits.

of buildings or the power of enforcing the municipal building laws, or, if in any town there is no such officer or board, the selectmen shall withhold a permit for the construction or alteration of any building or structure if the building or structure as constructed or altered would be in violation of any zoning ordinance or by-law or amendment thereof; and state, county and municipal officers shall refuse any permit or license for a new use of a building, structure or land which use would be in violation of any zoning ordinance or by-law or amendment thereof. Any town, in which a zoning by-law is in force but in which there are no municipal building laws, may provide by by-law that no building shall be erected, externally altered or changed in use in such town without a permit from the selectmen; and the selectmen shall withhold such permit unless such erection, alteration or proposed use is in conformity with such zoning by-law.

Appeal.

Section 13. An appeal to the board of appeals established under section fourteen may be taken by any person aggrieved by reason of his inability to obtain a permit from any administrative official under the provisions of this chapter.

A zoning ordinance or by-law may provide that, in addition to appeals provided for under the foregoing provisions of this section, appeals may be taken to the board of appeals by any officer or board of the city or town, or by any person aggrieved by any order or decision of the inspector of buildings or other administrative official in violation of any provision of this chapter, or any ordinance or by-law adopted thereunder, and may prescribe a reasonable time within which appeals under this section may be taken.

Board of
appeals,
established.

Section 14. Every zoning ordinance or by-law shall provide for a board of appeals, which may be the existing board of appeals under the local building or planning ordinances or by-laws. Pending provision for a board of appeals, for a period of not more than three months after the adoption of such ordinance or by-law, the city council or selectmen shall act as a board of appeals. Any new board of appeals established hereunder shall consist of at least three members, who shall be appointed by the mayor, subject to the confirmation of the city council, or by the selectmen, for terms of such length and so arranged that the term of one appointee will expire each year; and said board shall elect annually a chairman from its own number. Any board so established may also act as the board of appeals under the local building or planning ordinances or by-laws.

Any member may be removed for cause by the appointing authority upon written charges and after a public hearing. Vacancies shall be filled for unexpired terms in the same manner as in the case of original appointments. Such ordinances or by-laws may provide for the appointment in like manner of associate members of the board of appeals; and in case of a vacancy, inability to act, or interest on the part of a member of said board, his place may be taken by an associate member designated by the mayor or selectmen.

Section 15. A board of appeals shall have the following powers: Powers of board.

1. To hear and decide appeals taken as provided in section thirteen or in an ordinance or by-law authorized under said section.

2. To hear and decide applications for special permits for exceptions as provided in section four upon which such board is required to pass.

3. To authorize upon appeal, or upon petition in cases where a particular use is sought for which no permit is required, with respect to a particular parcel of land or to an existing building thereon a variance from the terms of the applicable zoning ordinance or by-law where, owing to conditions especially affecting such parcel or such building but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship to the appellant, and where desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law, but not otherwise.

In exercising the powers under paragraph three above, the board may impose limitations both of time and of user, and a continuation of the use permitted may be conditioned upon compliance with regulations to be made and amended from time to time thereafter.

Section 16. Any appeal under section fifteen shall be taken within the time prescribed by ordinance or by-law in case the time for appeal is so prescribed, otherwise within a reasonable time provided by rule of the board of appeals, by filing with the officer or board from whose order or decision the appeal is taken and with the board of appeals a notice of appeal specifying the grounds thereof; provided, that, in any town whose by-laws so provide, such notice of appeal shall be filed with the town clerk, who shall forthwith transmit copies thereof to such officer or board and to the members of the board of appeals. Such officer or board shall forthwith transmit to the board of appeals all documents and papers constituting the record of the case in which the appeal was taken. Time within which appeal may be taken, regulated.

Section 17. The board of appeals shall fix a reasonable time for the hearing of any appeal or other matter referred to it or any petition for a variance, and give public notice thereof in an official publication, or a newspaper of general circulation, in the city or town, and also send notice by mail, postage prepaid, to the petitioner and to the owners of all property deemed by the board to be affected thereby, as they appear on the most recent local tax list, and to the planning board of such city or town. At the hearing any party whether entitled to notice thereof or not may appear in person or by agent or by attorney. Hearing, notice, etc., of appeals.

Section 18. The board of appeals of each city or town shall adopt rules, not inconsistent with the provisions of the Adoption of rules.

Conduct of
meetings, etc.

zoning ordinance or by-law of such city or town, for conducting its business and otherwise carrying out the purposes of this chapter. Meetings of the board shall be held at the call of the chairman, and also when called in such other manner as the board shall determine in its rules. Such chairman, or in his absence the acting chairman, may administer oaths, summon witnesses and call for the production of papers. All hearings of the board shall be open to the public. The decision of the board shall be made within a reasonable time. The board shall cause to be made a detailed record of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and setting forth clearly the reason or reasons for its decisions, and of its other official actions, copies of all of which shall be immediately filed in the office of the city or town clerk and shall be a public record, and notice of decisions shall be mailed forthwith to parties in interest as designated in section seventeen, to the planning board, and to every person present at the hearing who requests that notice be sent to him and states the address to which such notice is to be sent.

Powers of
board.

Section 19. In exercising the powers granted by section fifteen, a board of appeals may, in conformity with the provisions of this chapter, reverse or affirm in whole or in part, or may modify, any order or decision, and may make such order or decision as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issue of a permit.

The concurring vote of all the members of a board of appeals shall be necessary to reverse any order or decision of any administrative official under this chapter, or to decide in favor of the applicant on any matter upon which it is required to pass under any zoning ordinance or by-law, or to effect any variance in the application of any such ordinance or by-law.

Reconsidera-
tion of action
of board after
unfavorable
action,
limited.

Section 20. After acceptance of this section or corresponding provisions of earlier laws as provided in section four of chapter four, no appeal or petition under paragraph three of section fifteen for a variance from the terms of such an ordinance or by-law with respect to a particular parcel of land or the building thereon, and no application under paragraph two of section fifteen for a special exception to the terms of any such ordinance or by-law, which has been unfavorably acted upon by the board of appeals shall be considered on its merits by said board within two years after the date of such unfavorable action except with the consent of all of the members of the planning board, or of the board of selectmen in a town having no planning board.

Appeal to
superior court
sitting in
equity.

Section 21. Any person aggrieved by a decision of a board of appeals, whether or not previously a party to the proceeding, or any municipal officer or board, may appeal to the superior court sitting in equity for the county in which the land concerned is situated; provided, that such

appeal is filed in said court within fifteen days after such decision is recorded. The court shall hear all pertinent evidence and determine the facts, and, upon the facts as so determined, annul such decision if found to exceed the authority of such board, or make such other decree as justice and equity may require. The foregoing remedy shall be exclusive, but the parties shall have all rights of appeal and exception as in other equity cases.

Costs shall not be allowed against the board unless it shall appear to the court that the board in making the decision appealed from acted with gross negligence, in bad faith or with malice.

Costs shall not be allowed against the party appealing from the decision of the board unless it shall appear to the court that said appellant or appellants acted in bad faith or with malice in making the appeal to the court.

All issues in any proceeding under this section shall have precedence over all other civil actions and proceedings.

Section 22. The superior court shall have jurisdiction in equity to enforce the provisions of this chapter, and any ordinances or by-laws adopted thereunder, and may restrain by injunction violations thereof. Jurisdiction
of superior
court.

If the attorney general questions the validity of any ordinance or by-law adopted by a city or town under this chapter, he shall bring an information in his own name as such officer in the superior court sitting in equity for the county in which such city or town is situated for a declaratory decree to determine the validity of such ordinance or by-law.

SECTION 3. The provisions of chapter forty A of the General Laws, so far as they are the same as those of sections twenty-five to thirty B, inclusive, of chapter forty of the General Laws, shall be construed as continuations of said provisions, and the enactment of this statute shall not affect the validity of any action lawfully taken under said provisions prior to the effective date of this act. Validity of
certain acts
not to be
affected.

Approved May 3, 1954.

AN ACT EMPOWERING THE BOSTON TRAFFIC COMMISSION TO PROVIDE BY RULE OR REGULATION FOR THE REMOVAL OF VEHICLES PARKED OR STANDING IN VIOLATION OF LAW ON PUBLIC WAYS IN THE DOWNTOWN AREA OF THE CITY OF BOSTON. *Chap. 369*

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 263 of the acts of 1929 is hereby amended by inserting after the third sentence, as appearing in section 1 of chapter 78 of the acts of 1950, the following: — By any rule or regulation adopted under this section, the commission may authorize, with such limitations, if any, as the commission may think proper, the police commissioner of the city, or such sergeants or officers of higher rank in the police department of the city as he may from

time to time designate, to remove to some convenient place, through the agency of a person or persons in the employ of the police department of the city, but not by an independent contractor, any vehicle, except a vehicle owned by the commonwealth or a political subdivision thereof or by the United States or an instrumentality thereof or registered by a member of a foreign diplomatic corps or by a foreign consular officer who is not a citizen of the United States and bearing a distinctive number plate or otherwise conspicuously marked as so owned or registered, and except also a vehicle owned by a disabled veteran and bearing a distinctive number plate authorized by section two of chapter ninety of the General Laws parked or standing on any part of any such street, way, highway, road or parkway in the downtown area of the city, as defined in section twenty A of chapter ninety of the General Laws, in violation of any rule or regulation adopted under this section which prohibits the parking or standing of all vehicles on such part at such time and recites that whoever violates it shall be liable to charge for the removal and storage of the vehicle as well as subject to punishment by fine, and may impose liability for the reasonable cost of such removal, and of the storage charges, if any, resulting therefrom, upon the owner of such vehicle; provided, however, that the liability so imposed shall not exceed five dollars for removal or six and one quarter cents for each hour, or part thereof, of storage, and that neither such removal nor such storage shall be deemed to be services rendered or work performed by the city or any department thereof within the meaning of chapter two hundred and twenty-two of the acts of nineteen hundred and forty-nine; and provided, further, that the city of Boston shall be liable to the owner of such vehicle for any damage caused to it arising out of negligence in the course of such removal and storage. No rule or regulation reciting that whoever violates it shall be liable to charge for the removal and storage of the vehicle as well as subject to punishment by fine shall be valid unless, in a writing filed with the secretary of the commission at the time of the adoption of such rule or regulation, every member of the commission voting for the adoption thereof certifies that after taking into account the public safety and convenience, the reasonably free circulation of vehicular traffic and the need for providing in the streets, ways, highways, roads and parkways in the downtown area of the city the maximum number of parking spaces at all times, he is of opinion that such rule or regulation is required by urgent public necessity.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved May 3, 1954.

AN ACT RELATIVE TO THE CORPORATE POWERS OF THE WATER-TOWN FIREFIGHTERS RELIEF ASSOCIATION, INC. Chap.370

Be it enacted, etc., as follows:

Watertown Firefighters Relief Association, Inc., a corporation duly established under the laws of the commonwealth is hereby authorized, upon the retirement of any member in good standing, to pay to such member such sum, not exceeding five hundred dollars, as may be determined by vote of said corporation.

Approved May 3, 1954.

AN ACT MAKING JOSEPH S. WIRZBICKI ELIGIBLE FOR APPOINTMENT TO THE RESERVE POLICE FORCE OF THE TOWN OF LUDLOW. Chap.371

Be it enacted, etc., as follows:

SECTION 1. The name of Joseph S. Wirzbicki, a disabled veteran who passed the mental examination for police entrance service, shall be placed upon the eligible list for appointment to the reserve police force of the town of Ludlow for the remainder of the period of eligibility of the list for which he was examined, notwithstanding his failure to pass the strength test for such position, provided he meets all other standards of the division of civil service for such position.

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1954.

AN ACT PROVIDING FOR THE REGULATION OF WEIGHTS OF VEHICLES ON NANTUCKET ISLAND. Chap.372

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of section two of chapter eighty-five of the General Laws, but notwithstanding any provision of general law relative to the weight of vehicles on public ways, the board of selectmen of the town of Nantucket are hereby authorized to make regulations governing the weights of vehicles on ways within their control and to fix penalties for the violation thereof, not to exceed twenty dollars for each offence. Such regulations shall not take effect until they have been published at least once in a newspaper published in said town.

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1954.

AN ACT RELATIVE TO THE TIME FOR FILING APPLICATIONS FOR ABATEMENT OF EXCISE TAX ON MOTOR VEHICLES. Chap.373

Whereas, The deferred operation of this act would tend to defeat its purpose which is to make its provisions relative to the time for filing applications for abatement of excise tax on motor vehicles effective forthwith, therefore it is

Emergency
preamble.

hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 60A, § 2, etc., amended.

Time for filing applications for abatement of certain taxes, established.

SECTION 1. Section 2 of chapter 60A of the General Laws is hereby amended by striking out the eighth sentence, as amended by section 39 of chapter 654 of the acts of 1953, and inserting in place thereof the following sentence: — The owner may if the notice of assessment is issued before January first of the succeeding year within six months of the date of issuing the notice of assessment or of the date of sale or transfer, but not later than January thirty-first of the succeeding year, and if the notice of assessment is issued on or after January first of the succeeding year, within thirty days after the date of issuing the notice of assessment, apply for an abatement to the board of assessors or the state tax commission, as the case may be, and, from a decision of the board of assessors upon such application, an appeal may be taken to the county commissioners or to the appellate tax board, all in accordance with section sixty-four or sixty-five of chapter fifty-nine, or from a decision of the commission an appeal may be taken to the appellate tax board in the time and manner provided in the case of appeals taken pursuant to section seventy-one of chapter sixty-three.

Proviso.

SECTION 2. Any owner receiving notice of assessment of a motor vehicle excise tax after December thirty-first, nineteen hundred and fifty-three, on account of the year nineteen hundred and fifty-three, may make application for abatement within sixty days after the effective date of this act, any other provision of law to the contrary notwithstanding.

Approved May 4, 1954.

Chap. 374 AN ACT AUTHORIZING THE CITY OF NORTH ADAMS TO CONTRACT WITH THE TOWN OF CLARKSBURG FOR THE RECEPTION AND DISPOSAL OF SEWAGE THEREFROM.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 668 of the acts of 1951 is hereby amended by striking out all after the word "town", the first time it appears in line 14, and inserting in place thereof the following sentence: — The city of North Adams is hereby authorized to contract with the town of Clarksburg for the reception and disposal of sewage for said town through domestic sewers entering the sewage treatment plant of the city of North Adams upon such terms and conditions as the city of North Adams through its city council shall by ordinance establish.

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1954.

AN ACT RELATIVE TO PAYMENTS BY THE CITY OF PITTSFIELD TO THE TOWN OF WASHINGTON IN LIEU OF TAXES ON CERTAIN PROPERTY. *Chap. 375*

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section six of chapter fifty-nine of the General Laws or of any law to the contrary, in the year nineteen hundred and fifty-five and annually thereafter, the city of Pittsfield shall pay, on July first of each year to the town of Washington in lieu of taxes on certain property held for municipal purposes by the city of Pittsfield in the town of Washington, an amount to be determined annually by the commissioner of corporations and taxation. The commissioner shall certify the amount so determined to the assessors of Washington and the mayor of Pittsfield on or before March fifteen of each year. The assessors of Washington or the mayor of Pittsfield, if aggrieved by the determination of the commissioner, may, on or before April first, appeal to the state tax commission whose decision shall be final.

SECTION 2. In the year nineteen hundred and fifty-four, in the manner set forth in section one, the commissioner shall make such determination on or before May fifteen; and the city of Pittsfield shall pay to the town of Washington such amount on July first of nineteen hundred and fifty-four. The assessors of Washington or the mayor of Pittsfield, if aggrieved by the determination of the commissioner, may, on or before June first, nineteen hundred and fifty-four, appeal to the state tax commission whose decision shall be final.

SECTION 3. This act shall take effect upon its passage.

Approved May 4, 1954.

AN ACT RELATIVE TO EMERGENCY APPOINTMENTS IN THE CLASSIFIED CIVIL SERVICE. *Chap. 376*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make possible forthwith emergency appointments under the civil service laws without requisition, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section 15 of chapter 31 of the General Laws is hereby amended by striking out the fifth paragraph, as appearing in chapter 103 of the acts of 1946, and inserting in place thereof the following paragraph: —

G. L. (Ter.
Ed.), 31, § 15,
etc., amended.

In case of an emergency except as otherwise provided in this paragraph which could not have been foreseen and where the public business would be seriously impeded by delay in filling any position in the manner provided by law, an appointing authority may make an emergency appoint-

Emergency
appointments
in the
classified
civil service,
regulated.

ment without requisition; but in no case, except as otherwise provided in this paragraph, shall such emergency appointment continue for more than thirty days within the sixty consecutive days next following, and in every such case he shall forthwith report the same to the director, stating the reason therefor, in such form and detail as the director may prescribe, and the time, not exceeding thirty days within the sixty consecutive days next following, for which such employment is to last. No such emergency appointment shall be renewed except with the consent of the director or be renewed more than once, except that in departments, institutions or hospitals the functions of which are connected with the public safety or public health where the public service would otherwise suffer, the director may renew such emergency appointment for one additional period; but no person shall receive more than one such appointment and renewal or renewals, as the case may be, in any twelve-month period. In case of an emergency in the position of laborer, which could not have been foreseen and where the public business would be seriously impeded by delay in filling the position in the manner provided by law, an appointing authority may make an emergency appointment without requisition; but in no case shall such emergency appointment continue for more than thirty days within the sixty consecutive days next following, except that the appointing authority may renew the emergency appointment for one additional period, as provided in this paragraph or, at his discretion, renew the emergency appointment immediately for a period not to exceed an additional fifteen days, in which event no further emergency appointment under this section may be given such laborer within the twelve-month period from the date that the thirty-day emergency appointment began; and in every such case the appointing authority shall forthwith report the same to the director, stating the reason therefor, in such form and detail as the director may prescribe, and the time, not exceeding thirty days within the sixty consecutive days next following, or the additional fifteen days provided for in this section, for which such employment is to last. If the person given such an emergency appointment as a laborer has had prior emergency employment under another title in the classified civil service within the twelve consecutive months next following the date of his first employment under the emergency appointment, the total emergency employment in any position, including that of laborer, shall not exceed a total of sixty days in any twelve-month period. Vacancies of which an appointing authority has had, or might with due diligence have, reasonable knowledge shall not be considered an emergency under this section.

Approved May 4, 1954.

AN ACT AUTHORIZING THE TOWN OF OAKHAM TO CONVEY
CERTAIN PREMISES TO THE EVANGELICAL CONGREGATIONAL
CHURCH OF OAKHAM. Chap.377

Be it enacted, etc., as follows:

The town of Oakham is hereby authorized to convey to the Evangelical Congregational Church of Oakham a certain parcel of land situate in said town and bounded and described as follows:— Starting at a point at the intersection of Ware Corner road, Coldbrook road and Maple street, thence running in a northeasterly direction a distance of 78.8 feet, thence turning and running in a southeasterly direction a distance of 172 feet \pm , thence turning and running in a southwesterly direction a distance of 75.0 feet, thence turning and running in a northwesterly direction a distance of 180 feet \pm to point of beginning, said land being shown on Plan of Land to be acquired by the Evangelical Congregational Church of Oakham, Mass., drawn by R. H. Lonergan, C.E., dated February, 1954. Said town is hereby authorized to convey to said church all its right, title and interest in any portion of the building now standing on said premises.

Approved May 4, 1954.

AN ACT RELATIVE TO THE CORPORATE POWERS OF THE MALDEN
POLICE RELIEF ASSOCIATION. Chap.378

Be it enacted, etc., as follows:

Upon the death of any pensioned officer of the police department of the city of Malden, who is a member of The Malden Police Relief Association, and who is entitled to receive benefits under the constitution and by-laws of said corporation, the amount of mortuary benefit to which he was entitled at the time of his retirement as an active member of said police department shall be paid to such person as the deceased member may have designated in writing and which is on file in the secretary's records; provided, however, that the person so designated shall be the wife, betrothed, child by legal adoption, parent by legal adoption, blood relative of, or a person dependent upon, such deceased member. In the event that the named beneficiary has died, or is illegally designated, then the benefit shall be paid to the wife, children, mother, father, brother, sister or next of kin in the order named.

Approved May 4, 1954.

AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF
PUBLIC WORKS TO MAKE CERTAIN IMPROVEMENTS IN THE
SAUGUS RIVER IN THE TOWNS OF WAKEFIELD, LYNNFIELD
AND SAUGUS. Chap.379

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to dredge and straighten the channel of the Saugus

river and to make such other improvements as may be necessary to provide for the unobstructed passage of the waters thereof. Said work shall begin at a point approximately three hundred feet upstream from Salem street and extend downstream to a point approximately five hundred feet downstream from the Lynnfield-Saugus town line; provided, that the towns of Wakefield and Lynnfield shall enter into an agreement with the department of public works in accordance with the provisions of chapter five hundred and thirteen of the acts of nineteen hundred and thirty-nine and section twenty-nine of chapter ninety-one of the General Laws to assume liability for damages in connection with this project. For said purposes said department may expend such sums as may be appropriated therefor.

Approved May 4, 1954.

Chap.380 AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO PAY A CERTAIN SUM OF MONEY TO OLIVE NERNEY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the county commissioners of the county of Bristol are hereby authorized to appropriate and pay to Olive Nerney, of Attleboro, the sum of twelve hundred and fifty-two dollars and sixty-five cents, to compensate her for counsel fees incurred by her in defending a civil suit for one hundred thousand dollars brought against her and others in the United States District Court for the Massachusetts District by one Anna C. Dunn to collect damages for the acts of said Olive Nerney while in the performance of her duties as chief probation officer of the fourth district court of Bristol.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of Bristol county, but not otherwise.

Approved May 4, 1954.

Chap.381 AN ACT RELATIVE TO THE REFERENCE TO THE VOTERS IN THE TOWN OF LEXINGTON OF CERTAIN VOTES OF REPRESENTATIVE TOWN MEETINGS THEREIN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 215 of the acts of 1929 is hereby amended by striking out section 8 and inserting in place thereof the following section:—*Section 8.* A vote passed at any representative town meeting authorizing the expenditure of twenty thousand dollars or more as a special appropriation, or establishing a new board or office or abolishing an old board or office or merging two or more boards or offices, or fixing the term of office of town officers, where such term is optional, or increasing or reducing the number of members of a board, or adopting a new by-law, or amending an existing by-law, shall not be operative until

after the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within said five days, a petition signed by not less than three per cent of the registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen requesting that the question or questions involved in any such vote which has not become operative as aforesaid be submitted to the voters of the town at large, then the operation of such vote shall be further suspended pending its determination as hereinafter provided, and the selectmen, within ten days after the filing of the petition, shall call a special meeting, which shall be held within fourteen days after the issuing of the call, for the purpose of presenting to the voters at large the question or questions so involved. All votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several precinct meetings in the same manner as in the election of town officers. The questions so submitted shall be determined by a majority vote of the registered voters of the town voting thereon, but no action of the representative town meeting shall be reversed unless at least twenty per cent of the registered voters shall vote to reverse the action. Each question so submitted shall be in the form of the following question, which shall be placed upon the official ballot: — "Shall the town vote to approve the action of the representative town meeting whereby it was voted (brief description of the substance of the vote)?" If such petition is not filed within the said period of five days, the vote of the representative town meeting shall become operative upon the expiration of the said period.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the next annual town meeting in the form of the following question which shall be placed upon the official ballot to be used for the election of town officials at said meeting: — "Shall an act passed by the general court in the year nineteen hundred and fifty-four entitled 'An Act relative to the reference to the voters in the town of Lexington of certain votes of representative town meetings therein', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved May 4, 1954.

AN ACT ESTABLISHING IN THE TOWN OF ATHOL REPRESENTATIVE TOWN GOVERNMENT BY LIMITED TOWN MEETINGS. *Chap.382*

Be it enacted, etc., as follows:

SECTION 1. Upon the acceptance of this act by the town of Athol as hereinafter provided, the selectmen and the registrars of voters, acting jointly and hereinafter referred to as the districting board, shall forthwith divide the territory thereof into not less than six nor more than ten voting precincts, each of which shall be plainly designated. The pre-

cinets shall be so established as to consist of compact and contiguous territory to be bounded as far as possible by the center line of known streets and ways or by other well-defined limits. The boundaries shall be reviewed, and, if need be, wholly or partly revised by the districting board in May once in five years, or in May of any year when so directed by a vote of a representative town meeting held not later than April twentieth of that year. The districting board shall, within ten days after any establishment or revision of the precincts, file a report of their doings with the town clerk, the registrars of voters and the assessors, with a map or maps and a description of the precincts. The districting board shall also cause to be posted in a suitable place in each precinct a map or maps or description of the precincts as established or revised from time to time, or cause the same to be published in a newspaper published or circulated in the town. The division of the town into voting precincts and any revision of such precincts shall take effect upon the date of the filing of the report thereof by the districting board with the town clerk. Whenever the precincts are established or revised, the town clerk shall forthwith give notice thereof to the state secretary, stating the number and designation of the precincts. Meetings of the registered voters of the several precincts for elections or primaries and for voting on any question to be submitted to all the registered voters of the town shall be held simultaneously and at such place or places within the town as the selectmen shall in the warrant for such meeting direct. The provisions of the General Laws relating to precinct voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections and primaries in the town upon the establishment of voting precincts as herein provided.

SECTION 2. Other than the officers who may be designated in the by-laws of the town as town meeting members at large, the representative town meeting membership shall in each precinct consist of the largest number divisible by three which will admit of a representation of all precincts by an equal number of members and which will not cause the total elected town meeting membership to exceed one hundred and eighty.

The registered voters in every precinct shall, at the first annual town election held after the establishment of such precinct, and the registered voters of any precinct affected by any revision of precincts shall, at the first annual town election following such revision, conformable to the laws relative to elections not inconsistent with this act, elect by ballot the number of registered voters in the precinct, other than the officers designated in the by-laws as town meeting members at large, provided for in this section, to be town meeting members. The first third, in the order of votes received, of members so elected shall serve three years, the second third in such order shall serve two years, and the

remaining third in such order shall serve one year, from the date of the annual town election; and thereafter, except as is otherwise provided herein, at each annual town election the registered voters of each precinct shall, in like manner elect for the term of three years, one third of the number of elected town meeting members to which such precinct is entitled, and shall at such election fill for the unexpired term or terms any vacancy or vacancies then existing in the number of elected town meeting members in such precinct. Any tie vote shall be resolved by the duly elected members of the precinct in the manner provided in section four for the filling of vacancies.

The terms of office of all elected town meeting members from every precinct revised as aforesaid shall cease upon the election as hereinbefore provided of their successors. The town clerk shall, after every election of town meeting members, forthwith notify each such member by mail of his election.

SECTION 3. Nomination of candidates for town meeting members to be elected under this act shall be from the registered voters of the precinct. Nomination papers shall bear no political designation, shall be signed by not less than ten registered voters of the precinct in which the candidate resides, and shall be filed with the town clerk not later than the last day that nomination papers of candidates for other town offices must be filed. Any incumbent town meeting member may become a candidate for re-election by giving written notice thereof to the town clerk not later than fourteen days prior to the last day and hour for filing nomination papers. No nomination paper shall be valid in respect to any candidate unless his written acceptance is endorsed thereon or attached thereto when filed.

SECTION 4. A town meeting member may resign by filing a written resignation with the town clerk, and such resignation shall take effect on the date of such filing. A town meeting member who removes from the town shall cease to be a town meeting member, and a town meeting member who removes from the precinct from which he was elected to another precinct may serve only until the next annual election. Notice of any vacancy in the full number of town meeting members from any precinct shall be given at once by the town clerk to the remaining members from that precinct and he shall call a special meeting of the remaining members not less than five nor more than fourteen days later, at a time and at a place within the town to be designated by him, for the purpose of filling such vacancy until the next annual town election. At said special meeting a majority of said remaining members from the precinct shall constitute a quorum. The choice to fill any vacancy shall be by ballot, and a plurality of the votes cast shall be required for a choice. The town clerk shall count the ballots, make a certificate of the choice, and notify the person so chosen, and upon receipt by the town clerk of a written ac-

ceptance by the person so chosen, that person shall be deemed elected and qualified as a town meeting member, subject to the right of all the town meeting members to judge of the election and qualifications of members, as provided in section five.

SECTION 5. The town clerk shall notify the town meeting members of the time and place at which town meetings are to be held, the notices to be sent by mail at least seven days before the meeting. The town meeting members shall be the judges of the election and qualifications as set forth in this act of their members. A majority of the town meeting members shall constitute a quorum for doing business, but a less number may organize temporarily and may adjourn from time to time. All town meetings shall be public. Town meeting members as such shall receive no compensation. Subject to such conditions as may be determined from time to time by the members of the representative town meeting, any registered voter of the town, although not a town meeting member, shall have the right to speak at least once on any matter coming before any town meeting, but only elected town meeting members shall vote on such matters.

SECTION 6. It shall be the duty of the chairman of each board or committee of the town, elected or appointed, and the head of each department to attend throughout that part of each town meeting at which matters other than those to be acted upon and determined by ballot are to be considered.

SECTION 7. The articles in the warrant for every town meeting, so far as they relate to the election of town officers and town meeting members, and, as herein provided, to referenda, and all matters to be acted upon and determined by ballot shall be so acted upon and determined by the registered voters of the town in their respective precincts. All other articles in the warrant for any town meeting, beginning with the town meeting at which said town meeting members are first elected, shall be acted upon and determined exclusively by town meeting members at a meeting to be held at such time and place as shall be set forth by the selectmen in the warrant for the meeting, subject to the referendum provided for by section eight.

SECTION 8. No vote, except a vote to adjourn or authorizing the borrowing of money in anticipation of the receipt of taxes for the current year, passed at any representative town meeting shall be operative until the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the meeting. If within said five days a petition, signed by not less than three hundred registered voters in the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen, asking that the question or questions involved in such vote be submitted to the registered voters of the town at large, then the selectmen, after the expiration of five days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or

questions so involved. The polls shall be opened at twelve o'clock noon and shall be closed at eight o'clock in the evening, and all votes upon any question so submitted shall be taken by ballot and the check list used in the several precinct meetings in the same manner as in the election of town officers. The questions so submitted shall be determined by vote of the same proportion of voters at large voting thereon as would have been required by law of the town meeting members, had the question been finally determined at a representative town meeting. The questions so submitted shall be stated upon the ballot in substantially the same language and form in which they were stated when presented to the representative town meeting by the moderator and as appears from the records of said meeting. If such a petition is not filed within said period of five days, the vote of the representative town meeting shall become operative and effective at the expiration of said period.

SECTION 9. The town of Athol, after acceptance of this act, shall have the capacity to act through and to be bound by its said town meeting members who shall, when convened from time to time, as herein provided, constitute representative town meetings; and the representative town meetings shall exercise exclusively, so far as will conform to the provisions of this act, all powers vested in the municipal corporation. Action in conformity with all provisions of law now or hereafter applicable to the transaction of town affairs in town meetings shall, when taken by any representative town meeting in accordance with the provisions of this act, have the same force and effect as if such action had been taken in a town meeting, open to all the voters of the town as heretofore organized and conducted.

SECTION 10. This act shall be submitted to the registered voters of the town of Athol at the biennial state election in the year nineteen hundred and fifty-four. The vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the question, which shall be placed upon the ballot to be used in said town for the election of state officers: — "Shall an act passed by the General Court in the year nineteen hundred and fifty-four, entitled 'An Act establishing in the town of Athol representative town government by limited town meetings', be accepted by this town?" The provisions of this act shall take effect upon its acceptance by a majority of the voters voting on the question.

SECTION 11. If this act is not accepted by the registered voters of the town of Athol when submitted to said voters under section ten, it shall again be submitted for acceptance in like manner from time to time to such voters at any annual town election in said town within five years thereafter, upon a petition signed by at least ten registered voters of the town.

Approved May 4, 1954.

Chap.383 AN ACT PROVIDING FOR THE DEVELOPMENT, IMPROVEMENT AND MAINTENANCE OF A CERTAIN RECREATIONAL AREA ADJACENT TO THE SOLDIERS' HOME IN MASSACHUSETTS.

Be it enacted, etc., as follows:

The trustees of the Soldiers' Home in Massachusetts are hereby authorized to develop, improve and maintain for recreational or park purposes that certain tract of land adjoining the westerly end of said Home at the junction of Summit avenue and Lafayette avenue in the city of Chelsea and containing approximately three acres. Said tract of land was conveyed by the city of Chelsea to the commonwealth with the proviso that the commonwealth maintain a park thereon until such time as it was needed for the expansion of said Home, and was formerly known as Malone park. For the purposes of this act the said trustees may expend such sums as may be appropriated therefor.

Approved May 4, 1954.

Chap.384 AN ACT AUTHORIZING THE CITY OF MALDEN TO ESTABLISH A PUBLIC WORKS COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The mayor and board of aldermen of the city of Malden shall within sixty days after the acceptance of this act, as provided in section seven, appoint three persons to be members of the public works commission, whose terms of office shall expire on March first, nineteen hundred and fifty-six, March first, nineteen hundred and fifty-seven and March first, nineteen hundred and fifty-eight, respectively, and shall thereafter before March first in each year appoint one person to serve for three years as a member of said commission. The members of said commission shall hold office until their successors shall be chosen and qualified. Vacancies may be filled by the mayor and aldermen at any time, and removals may be made by them for cause. The persons so appointed shall constitute the public works commission of the city of Malden, and they shall receive such compensation as the city council shall determine.

SECTION 2. All the powers, duties, facilities, properties and appropriations now or from time to time vested by law or ordinances of the city in the street and water commission, park commission, board of survey, city forester and city engineer of the said city shall vest in and be exercised and performed by the public works commission after the appointment and qualification of its members. The commission shall have the powers of the board of aldermen under and subject to the provisions of chapter forty, section fourteen, of the General Laws to purchase or take by eminent domain under chapter seventy-nine of the General Laws any land, easement or right therein for the purpose of carrying out any of its powers or duties. Upon the appointment

and qualification of the public works commission as aforesaid, the street and water commission, the park commission, the board of survey, the office of the city forester and the city engineer shall thereupon be abolished.

SECTION 3. There shall be within the department of public works, but subject to the control of the commission, a division of highways, a division of water works, a division of engineering and a division of forestry and parks. Each such division shall assume such management and control as shall be determined by the commission.

SECTION 4. The superintendent of public works shall be appointed in accordance with the civil service laws of the commonwealth. The commission shall fix the salary of the superintendent. The superintendent shall have full authority to carry out the policies of the commission.

SECTION 5. All persons now employed in the street and water department, park department, engineering department, water department and the department of the city forester shall, upon the effective date of this act, be transferred to the department of public works. All such transfers of employees shall be made without loss of pay and without change of rating, seniority, retirement or pension rights, or any other privileges under any provision of law or ordinance.

SECTION 6. Any provision of a statute or ordinance of the city of Malden which is inconsistent with this chapter is hereby repealed.

SECTION 7. This act shall be submitted to the voters of the city of Malden at the biennial state election to be held in the current year in the form of the following question which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act authorizing the city of Malden to establish a public works commission be accepted?" If a majority of said voters answer in the affirmative this act shall take full effect, but not otherwise.

Approved May 4, 1954.

AN ACT PROVIDING FOR THE APPOINTMENT OF AN ADDITIONAL MASTER IN CHANCERY IN THE COUNTY OF HAMPDEN. Chap. 385

Be it enacted, etc., as follows:

SECTION 1. Section 53 of chapter 221 of the General Laws, as amended by chapter 151 of the acts of 1939, is hereby further amended by inserting after the word "Plymouth", in line 7, the words: — , six in Hampden, — so as to read as follows: — *Section 53.* The governor, with the advice and consent of the council, shall, as vacancies occur, appoint masters in chancery, who may act throughout the commonwealth, so that the number thereof in the several counties shall be twelve in Suffolk, eleven in Essex, eleven in Middlesex, seven in Worcester, six in Norfolk, six in Plymouth, six in Hampden, and not more than five in any other county. They shall be sworn, and shall hold their offices for five years.

G. L. (Ter. Ed.), 221, § 53, etc., amended.

Additional master in chancery for Hampden county.

Residence
requirement.

SECTION 2. The additional master in chancery whose appointment is authorized by this act shall be a resident of the town of Ludlow.

Approved May 4, 1954.

Chap.386 AN ACT PROVIDING FOR THE APPOINTMENT OF CERTAIN EMPLOYEES OF THE REGISTRY OF MOTOR VEHICLES AS WEIGHERS AND MEASURERS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the immediate appointment of employees of the registry of motor vehicles as weighers and measurers, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 41, new
§ 87A, added.
Appointment
of certain
persons as
weighers and
measurers,
authorized.

Chapter 41 of the General Laws is hereby amended by inserting after section 87 thereof the following new section: —
Section 87A. The director of standards and necessities of life, upon the written request of the registrar of motor vehicles, shall appoint any of those persons described in section twenty-nine of chapter ninety as having the powers of constables and of police officers, as weighers and measurers of motor vehicles and trailers, and of the loads of such vehicles and trailers. Before entering upon their duties they shall be sworn. Subject to section ninety, they shall serve as long as they have the powers of constables and police officers or until the registrar shall in writing request the director to revoke any such appointment.

Approved May 5, 1954.

Chap.387 AN ACT RELATIVE TO THE DEDUCTIONS ALLOWED UNDER THE INCOME TAX LAW TO EXECUTORS OR ADMINISTRATORS ACTING AS TRUSTEES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make immediately effective the provisions thereof, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 62, § 10,
amended.

SECTION 1. Section 10 of chapter 62 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "trustees", in line 42, the following: —, but not executors or administrators even though acting as trustees.

Effective
date.

SECTION 2. This act shall take effect as of January first, nineteen hundred and fifty-four, and shall apply to income received in the calendar year nineteen hundred and fifty-three and thereafter.

Approved May 5, 1954.

AN ACT TO FURTHER REGULATE GREENHEAD FLY CONTROL PROJECTS. *Chap. 388*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make immediately effective the provisions thereof relative to providing for the relief of the greenhead fly nuisance, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter 252 of the General Laws is hereby amended by striking out section 24, inserted by section 1 of chapter 391 of the acts of 1948, and inserting in place thereof the following section: — *Section 24.* Any city or town along the seacoast of the commonwealth may, in a city by vote of the city council and in a town by vote of the selectmen, establish a greenhead fly control project within its area, and any two or more adjoining such cities or towns may, by like votes, form a district within their combined areas. The city, town or district shall determine the maximum annual amount to be expended in carrying out such a project. Such city, town or district shall forthwith notify the state reclamation board, hereinafter called the board, of such action.

G. L. (Ter.
Ed.), 252, § 24,
etc., amended.

Relief of the
greenhead fly
nuisance,
provided.

The board shall, upon notification to it of the formation of such a district, determine the proportionate share of the annual cost of such project, as limited by the vote establishing the same, which shall be borne by each of the constituent municipalities, apportioned as hereinafter set forth, and shall forthwith notify the treasurer of each member city or town of such determination.

One third of such cost shall be borne by the several municipalities within a district in proportion to the entire salt marsh area contained within their respective boundaries, a similar one third based on the foregoing provision shall be borne by the commonwealth, subject to appropriation, and further subject to the direction and control of the board, and the remaining one third of such cost shall be borne by the several municipalities within the district in proportion to their respective taxable valuations as last established by the general court as a basis of apportionment for state and county taxes. A city or town establishing such a project within its area shall bear the entire cost thereof.

Each of the municipalities comprising such a district shall pay its share of such cost, as so determined, and each city or town establishing such a project shall pay its entire cost, into the state treasury. Any city, town or district may in any year anticipate its liability for such cost, and may raise, appropriate and deposit the amount thereof with the state treasurer, and any sums so deposited shall be credited against its said liability.

Subject to appropriation, there shall annually be expended from the state treasury, under the direction and control of

the board, and, where necessary or advisable, in advance of the payment by any city or town of the amount of its liability under the foregoing paragraph, sums not in the excess of the maxima respectively established for said projects, for the elimination or control of the greenhead fly nuisance within the area of each, in accordance with such plans and by means of such methods of control as may be prepared and devised by the board to effect the greatest measure of relief. There may also be disbursed for the furtherance of such a project any other sums voluntarily deposited with the state treasurer by any persons, groups or associations for said project purposes.

Effective
date.

SECTION 2. This act shall take effect on July first in the current year.

Approved May 5, 1954.

Chap.389 AN ACT RELATIVE TO THE APPLICATION OF PREMIUMS RECEIVED ON THE SALE OF BONDS OR NOTES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make its provisions relative to the application of premiums received on the sale of bonds or notes applicable to such premiums received in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 29, § 52,
amended.

SECTION 1. Chapter 29 of the General Laws is hereby amended by striking out section 52, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 52.* Any premium received on the sale of bonds or notes shall be applied without appropriation to the payment of the maturities of bonds or notes.

Application
of certain
premiums.

Effective
date.

SECTION 2. This act shall apply to any premiums received on or after January first, nineteen hundred and fifty-four.

Approved May 5, 1954.

Chap.390 AN ACT AUTHORIZING THE CITY OF WORCESTER TO REINSTATE EDWIN C. BUTCHER FOR THE SOLE PURPOSE OF RETIREMENT.

Be it enacted, etc., as follows:

SECTION 1. Any provision of law to the contrary notwithstanding, the city of Worcester may reinstate Edwin C. Butcher as a member of the police department of said city for the sole purpose of retirement and in order to correct a mistake made at the time of his original retirement. Upon such reinstatement the city of Worcester may retire said Edwin C. Butcher for disability caused by injuries sustained or hazards undergone in the actual performance of his duties as a member of said police department. Said retirement shall be under the provisions of section eighty-

three A of chapter thirty-two of the General Laws in effect in said city on the date of his original retirement.

SECTION 2. This act shall take effect upon its passage.

Approved May 6, 1954.

AN ACT REQUIRING EMPLOYERS TO FILE INFORMATION FOR INCOME TAX PURPOSES AS TO COMPENSATION PAID TO CERTAIN EMPLOYEES.

Chap. 391

Be it enacted, etc., as follows:

SECTION 1. Section 33 of chapter 62 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 4 of chapter 45 of the acts of 1943, and inserting in place thereof the following paragraph: — Every employer, being an inhabitant of the commonwealth or doing business therein, shall file annually with the commissioner a return in such form as he shall from time to time prescribe, giving the names and addresses of all employees residing in the commonwealth to whom said employer has paid wages, salary or other compensation on the same basis as is required by the federal government for income tax purposes during the preceding calendar year, and give the amount paid to each.

G. L. (Ter. Ed.), 62, § 33, etc., amended.

Annual returns of compensation paid to employees, required.

SECTION 2. This act shall take effect on January first, nineteen hundred and fifty-five, and shall relate to payments made in the calendar year nineteen hundred and fifty-four and thereafter.

Effective date.

Approved May 6, 1954.

AN ACT AUTHORIZING THE REGISTRAR OF MOTOR VEHICLES TO ISSUE A LICENSE FOR EACH PLACE OF BUSINESS USED BY PERSONS ENGAGED IN THE BUYING, SELLING, OR MANUFACTURING OF SO CALLED RENEWED, REBUILT, OR RECONSTRUCTED AUTOMOBILE ENGINES OR PARTS.

Chap. 392

Be it enacted, etc., as follows:

The second paragraph of section 32A of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 321 of the acts of 1949, and inserting in place thereof the following sentence: — Notwithstanding any provision of law to the contrary, the registrar shall be the sole authority to issue licenses, one license for each place of business, to persons engaged in the business of buying, selling or manufacturing so called renewed, rebuilt or reconstructed automobile engines or parts.

G. L. (Ter. Ed.), 90, § 32A, etc., amended.

Issuance of certain licenses by registrar, authorized.

Approved May 6, 1954.

AN ACT PROVIDING FOR THE PAYMENT OF WITNESS FEES TO OFFICERS OF THE DETECTIVE FORCE OF THE STATE DEPARTMENT OF PUBLIC SAFETY IN CERTAIN CASES.

Chap. 393

Be it enacted, etc., as follows:

Chapter 262 of the General Laws is hereby amended by striking out section 53B, inserted by chapter 235 of the acts of 1952, and inserting in place thereof the following section: —

G. L. (Ter. Ed.), 262, § 53B, etc., amended.

Witness fees.

Section 53B. Any officer of the detective force of the department of public safety or of the division of state police, appointed under section six or nine A of chapter twenty-two, on duty at night, or on vacation or furlough, or on a day off, who attends as a witness in a civil or criminal case pending in a district court or in the superior court shall be allowed a witness fee in the amount of three dollars for each day's attendance except his first attendance as arresting officer.

Approved May 6, 1954.

Chap.394 AN ACT EXTENDING THE TIME WITHIN WHICH A MUNICIPALITY MAY GIVE THE DEPARTMENT OF PUBLIC WELFARE NOTICE OF AID TO CERTAIN POOR PERSONS HAVING NO SETTLEMENT WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 117, § 18, etc., amended.

Section 18 of chapter 117 of the General Laws, as most recently amended by section 9 of chapter 351 of the acts of 1941, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — A town may furnish temporary aid to poor persons found therein, having no lawful settlements within the commonwealth, if the board of public welfare consider it for the public interest; and the board of public welfare shall in every case give written notice within one month to the department of public welfare, which shall examine the case and order such aid as it deems expedient.

Approved May 6, 1954.

Chap.395 AN ACT PERMITTING A MARRIED PERSON TO CONVEY REAL ESTATE DIRECTLY TO HIMSELF AND HIS SPOUSE AS TENANTS BY THE ENTIRETY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 184, § 7, amended.

Tenancy by the entirety, how created.

SECTION 1. Section 7 of chapter 184 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — A devise of land to a person and his spouse shall, if the instrument creating the devise expressly so states, vest in the devisees a tenancy by the entirety.

G. L. (Ter. Ed.), 184, § 8, amended.

Same subject.

SECTION 2. Said chapter 184 is hereby further amended by striking out section 8, as so appearing, and inserting in place thereof the following section: — *Section 8.* Real estate, including any interest therein, may be transferred by a person to himself jointly with another person in the same manner in which it might be transferred by him to another person, and a conveyance of real estate by a person to himself and his spouse as tenants by the entirety shall, when recorded in accordance with the provisions of section three of chapter two hundred and nine, create a tenancy by the entirety.

Approved May 6, 1954.

AN ACT AUTHORIZING THE CHAIRMAN OF THE STATE HOUSING BOARD TO DELEGATE AUTHORITY TO EMPLOYEES. *Chap.396*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize the chairman of the state housing board to delegate authority to certain employees forthwith, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

The second paragraph of section 64 of chapter 6 of the General Laws, as appearing in section 3 of chapter 260 of the acts of 1948, is hereby amended by inserting after the first sentence the following three sentences: — The chairman may certify, and may designate employees of the housing board to certify, to the existence of any fact the existence of which may be a condition to the validity of any bond or note of any housing authority as defined in section twenty-six J of chapter one hundred and twenty-one or of the guaranty of the commonwealth on any such bond or note, and may certify, and may designate employees of the housing board to certify, that instruments and documents are true copies of instruments and documents on file with the housing board. The chairman shall file with the secretary of the commonwealth a written statement of any such designation and notice of revocation thereof. Any person dealing with any such housing authority or the housing board shall be entitled to rely upon such certifications as conclusive evidence of the matters therein certified.

G. L. (Ter.
Ed.), 6, § 64,
etc., amended.

Powers of
chairman of
state housing
board.

Approved May 10, 1954.

AN ACT EXTENDING THE PERIOD OF EXISTENCE OF THE DEVELOPMENT AND INDUSTRIAL COMMISSION FOR THE CITY OF FALL RIVER. *Chap.397*

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 761 of the acts of 1950 is hereby amended by striking out, in line 3, the word "three" and inserting in place thereof the word: — six.

SECTION 2. This act shall take effect upon its passage.

Approved May 10, 1954.

AN ACT PERMITTING CERTAIN FRATERNAL BENEFIT SOCIETIES TO CONTRACT WITH INSURANCE COMPANIES FOR THE PAYMENT OF BENEFITS. *Chap.398*

Be it enacted, etc., as follows:

Section 46C of chapter 176 of the General Laws, inserted by chapter 397 of the acts of 1941, is hereby amended by inserting after the word "to", in line 2, the words: — sections forty-five and.

G. L. (Ter.
Ed.), 176,
§ 46C, etc.,
amended.

Approved May 10, 1954.

Chap.399 AN ACT TO INCLUDE THE TOWN OF WILMINGTON WITHIN
THE NORTH METROPOLITAN SEWERAGE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The territory comprising the town of Wilmington is hereby added to the north metropolitan sewerage district as defined in section one of chapter ninety-two of the General Laws. In becoming a part of said district, said town shall conform to the requirements of said chapter ninety-two, relative to the north metropolitan sewerage system, and shall be subject to said provisions, except as is otherwise provided herein. Any authority granted to other municipalities by said chapter ninety-two is also vested in the town of Wilmington in common with such other municipalities.

SECTION 2. The metropolitan district commission, hereinafter called the commission, shall provide an outlet for the sewage of the town of Wilmington, and, acting on behalf of the commonwealth, shall construct a main trunk sewer or sewers through the city of Woburn from a point near where Woburn street enters the town of Wilmington southerly in the Aberjona river valley to a point in or near the metropolitan district commission regulating chamber near the corner of Washington street and Montvale avenue in the southeasterly part of the city of Woburn. The location of the main sewer or sewers shall be subject to the approval of the department of public health.

SECTION 3. In providing for such outlet and in receiving sewage from the town of Wilmington, and in any action relating thereto, and for the purpose of taking, constructing and maintaining such additional main lines of sewers, the commission, acting on behalf of the commonwealth, shall have and exercise all the authority conferred upon it by said chapter ninety-two; and all the provisions of said chapter are made applicable to the additional construction, maintenance and operation hereby authorized, except as is otherwise provided herein.

SECTION 4. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, from time to time on request of the commission and subject to the approval of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount not exceeding one million, six hundred thousand dollars, in addition to the amount of such bonds heretofore authorized for the construction of the north metropolitan sewerage system. Such bonds shall be designated on the face: Metropolitan District Sewerage Loan, Act of 1954, shall be on the serial payment plan, and shall be issued for such maximum term of years not exceeding thirty years from the date of issue as may be recommended by the governor in accordance with section 3 of

Article LXII of the Amendments to the Constitution of the commonwealth, and shall bear interest at such rate as shall be fixed by the state treasurer, with the approval of the governor.

SECTION 5. The interest and serial bond requirements on account of the moneys expended in constructing that part of the north metropolitan sewerage system provided for under this act, and the cost of maintenance and operation thereof and such other expenses as may be authorized hereunder, shall be deemed to be, and shall be paid as, a part of the interest, sinking fund or serial bond requirements and costs specified in chapter four hundred and thirty-nine of the acts of eighteen hundred and eighty-nine and acts in amendment thereof and in addition thereto and affecting the same, and shall be apportioned, assessed and collected in the manner provided by the provisions of said chapter ninety-two, relative to such system, except as is hereinafter provided.

SECTION 6. The town of Wilmington shall, in addition to the yearly payment of the assessment so provided for in section five, pay into the treasury of the commonwealth for the Metropolitan Sewerage Loan — North System, Serial Bond Redemption account, to be used for reduction of current assessments, such proportion of the total amount of the sinking fund for the district, as existing on the first day of April in the year of its admission to the north metropolitan sewerage district, and of all sinking fund bonds and serial bonds paid prior to said date, as the valuation of the said town for the said year shall bear to the total amount of the valuation of said district, as determined for the purposes of apportionment of assessments. Such proportion shall be determined by the commission and shall be certified by the commission to the state treasurer. The state treasurer shall determine the total amount so to be paid by said town on account of its admission to said district, and for the payment thereof shall add one tenth of said total amount to the yearly sum payable by said town on account of its share of the interest, sinking fund and serial bond requirements of said district in each of ten years next succeeding. No assessment on account of the cost of maintenance and operation of the aforesaid district shall be made upon said town until the commission shall have certified to said town that the work herein provided for has been so far completed as to furnish an outlet to receive sewage from said town.

SECTION 7. This act shall take full effect upon its acceptance by a majority of the voters of the town of Wilmington present and voting thereon at a meeting legally called for the purpose; provided, however, that for the purposes of section six admission to the north metropolitan sewerage district shall be construed to mean the date of certification by the commission that an outlet is available to receive sewage from said town.

Approved May 10, 1954.

Chap. 400 AN ACT RELATIVE TO THE HOLDING OF PROPERTY BY THE
UNIVERSITY OF MASSACHUSETTS BUILDING ASSOCIATION
AND THE LEASING OF CERTAIN STATE LAND TO SAID COR-
PORATION.

Be it enacted, etc., as follows:

SECTION 1. University of Massachusetts Building Association, incorporated under the name of Massachusetts State College Building Association by section one of chapter three hundred and eighty-eight of the acts of nineteen hundred and thirty-nine, is hereby authorized to hold, for the purposes set forth in said chapter, real and personal estate to an amount not exceeding two million dollars, in addition to the amount of real and personal estate which may be held by said corporation under authority of said chapter and of chapter three hundred and ninety of the acts of nineteen hundred and forty-five and of chapter three hundred and fifty-two of the acts of nineteen hundred and forty-six, and of chapter one hundred and eighty-five of the acts of nineteen hundred and forty-eight, and of chapter four hundred and fourteen of the acts of nineteen hundred and fifty, and of chapter two hundred and eleven of the acts of nineteen hundred and fifty-two, and of chapter three hundred and fifty-six of the acts of nineteen hundred and fifty-three.

SECTION 2. The trustees of the University of Massachusetts may, in the name of and for the commonwealth, lease to said corporation two acres of land in Amherst or Hadley owned by the commonwealth, for the erection and maintenance of dormitories, commons and other buildings for the use of said University or its students, faculty and staff. The land hereby authorized to be leased to said corporation shall be in addition to the aggregate land authorized to be leased pursuant to section six of said chapter three hundred and eighty-eight of the acts of nineteen hundred and thirty-nine and section two of chapter three hundred and ninety of the acts of nineteen hundred and forty-five and section two of chapter three hundred and fifty-two of the acts of nineteen hundred and forty-six and section two of chapter one hundred and eighty-five of the acts of nineteen hundred and forty-eight and section two of chapter four hundred and fourteen of the acts of nineteen hundred and fifty and section two of chapter two hundred and eleven of the acts of nineteen hundred and fifty-two and section two of chapter three hundred and fifty-six of the acts of nineteen hundred and fifty-three; but nothing in this section shall be construed as limiting or restricting the powers conferred upon said trustees by said section six of said chapter three hundred and eighty-eight with respect to the leasing of lands by them to said corporation.

SECTION 3. Chapter 75 of the General Laws is hereby amended by striking out section 5A, as amended by section 10 of chapter 344 of the acts of 1947, and inserting in place

thereof the following section:—*Section 5A.* All receipts from student activities, including the operation of the university store, student union building, student operation of the home economics practice house, dramatics, debating, musical clubs, band, athletics and other like activities, shall be retained by the trustees in a revolving fund or revolving funds and shall be expended as the trustees shall direct in furthering the activities from which the receipts were derived; provided, that the foregoing shall not authorize any action in contravention of the requirements of section one of Article LXIII of the amendments to the constitution. The said fund or funds shall be subject to annual audit by the state auditor.

Power of trustees over certain funds, established.

Approved May 10, 1954.

AN ACT AUTHORIZING THE CLERK OF THE SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY TO MAKE MICROPHOTOGRAPHIC PROCESS COPIES OF CERTAIN PAPERS. *Chap.401*

Be it enacted, etc., as follows:

SECTION 1. The clerk of the supreme judicial court for Suffolk county shall cause to be made microphotographic process copies of all records, books or papers in his care or custody as clerk of said court which are dated from the year sixteen hundred and twenty up to and including the year eighteen hundred and twenty, and are rich in historical value in that they record legal acts and actions during the Colonial era, the Massachusetts Bay Province era and the founding days of the commonwealth.

SECTION 2. For the purposes of this act the clerk of the supreme judicial court may expend such sums as may be appropriated therefor.

Approved May 10, 1954.

AN ACT RELATIVE TO THE EXCISE FOR THE PRIVILEGE OF MANUFACTURING AND SELLING, OR IMPORTING AND SELLING, ALCOHOLIC BEVERAGES. *Chap.402*

Be it enacted, etc., as follows:

Chapter 138 of the General Laws is hereby amended by striking out section 21, as most recently amended by section 96 of chapter 654 of the acts of 1953, and inserting in place thereof the following section:—*Section 21.* Every licensed manufacturer of alcoholic beverages or alcohol as defined in this chapter and every holder of a wholesaler's and importer's license for the sale and importation thereof and every licensee under section seventy-six shall, in addition to the license fees elsewhere provided in this chapter, be liable for and pay to the commonwealth an excise, for the privilege enjoyed by him as such manufacturer, wholesaler and importer, or licensee under section seventy-six, to be levied on sales within the commonwealth of alcoholic beverages or alcohol, other than wines to be used for sacramental purposes only and other than malt beverages im-

G. L. (Ter. Ed.), 138, § 21, etc., amended.

Excise in connection with manufacture, sale, etc., of alcoholic beverages.

ported into the commonwealth, and to be levied on importations of malt beverages into the commonwealth, as follows:—

For each barrel of thirty-one gallons, or fractional part of a barrel aforesaid, of malt beverages, at the rate of two dollars per barrel aforesaid;

For each wine gallon, or fractional part thereof, of cider containing more than three per cent but not more than six per cent of alcohol by weight at sixty degrees Fahrenheit, at the rate of one and one half cents per wine gallon;

For each wine gallon, or fractional part thereof, of still wine, other than cider containing more than three per cent but not more than six per cent of alcohol as aforesaid, including vermouth, at the rate of ten cents per wine gallon;

For each wine gallon, or fractional part thereof, of champagne and all other sparkling wines, at the rate of forty cents per wine gallon;

For each wine gallon, or fractional part thereof, of all other alcoholic beverages containing twenty-four per cent or less of alcohol by volume at sixty degrees Fahrenheit, at the rate of fifteen cents per wine gallon;

For each wine gallon, or fractional part thereof, of all other alcoholic beverages containing more than twenty-four per cent but not more than fifty per cent of alcohol by volume at sixty degrees Fahrenheit, at the rate of one dollar and fifty cents per wine gallon;

For each proof gallon, or fractional part thereof, of all other alcoholic beverages containing more than fifty per cent of alcohol by volume at sixty degrees Fahrenheit or alcohol, at the rate of one dollar and fifty cents per proof gallon. The words "proof gallon", when used in this section with reference to an alcoholic beverage, shall be held to be a gallon of the alcoholic beverage which contains one half its volume of alcohol of a specific gravity of seven thousand nine hundred and thirty-nine ten thousandths (.7939) at sixty degrees Fahrenheit. Every person subject to this section shall keep a true and accurate account of all alcoholic beverages or alcohol sold by him other than malt beverages imported into the commonwealth by him, and a like account of all malt beverages imported into the commonwealth by him, and shall make a return thereof to the commissioner of corporations and taxation, hereinafter called the commissioner, within ten days after the last day of each month, covering such sales and importations by him during such month, and shall at the time of such return make payment to the commissioner of the amount due under this section for such sales and importations in such month. The commissioner shall assess on the basis of any available information any deficiency in the amount so payable which remains unpaid and shall notify the person so assessed who may within thirty days of the date of the notice make application to the state tax commission for abatement thereof. Such assessment may be made at any time within two years after

"Proof
gallon",
defined.

Record of
sales, returns
thereof, etc.

the making of the earliest sale, or importation, as the case may be, included in such assessment. If the state tax commission shall determine that a deficiency so assessed should be abated or, upon application filed within six months of the making of the return that an overpayment has been made, it shall certify the amount of such abatement or overpayment to the state treasurer, who shall repay the amount so certified if paid, without further appropriation therefor. The state tax commission is hereby authorized to prescribe rules and regulations governing the method of keeping accounts, making returns and paying the excise provided for in this section. Such rules and regulations shall provide for the waiver of payment of the excise in respect to any alcoholic beverages or alcohol if it appears that an excise has already been paid under the provisions of this section in respect thereto; provided, however, that alcoholic beverages or alcohol manufactured within or imported into the commonwealth and exported therefrom shall be exempt from such excise. Alcohol for the purposes of this section shall mean alcohol otherwise subject to any provision of this chapter but shall not include alcohol sold for scientific, chemical, mechanical, manufacturing, industrial, culinary, pharmaceutical or medical purposes in containers greater in capacity than one wine gallon. The taxes imposed by this section shall also be applicable to sales of alcoholic beverages, upon which an excise has not already been paid under the provisions of this section, made by a railroad or car corporation or the owner or operator of any vessel or shipping company licensed to sell alcoholic beverages under the provisions of section thirteen.

The books, accounts, records and papers of every licensee shall at all times be open to the inspection of the state tax commission and of the commissioner and his agents and upon summons issued by the commissioner shall be produced at such time and place as he shall designate for the inspection of himself or his agents.

If any licensee fails to file a return under this chapter within the time prescribed therein, the sum of five dollars for every day during which such licensee is in default shall be added to, and become a part of the tax, as an additional tax; but the commissioner may, in his discretion, abate any such additional tax in whole or in part.

Penalty for failure to file return.

Whoever files a fraudulent return, and whoever, having failed to file a return or having filed an incorrect or insufficient return without reasonable excuse fails to file a return within twenty days after receiving notice from the commissioner of his delinquency, shall be punished by a fine of not less than one hundred nor more than ten thousand dollars, or by imprisonment for not more than one year, or both.

Penalty.

Sums due to the commonwealth under this section may be recovered by the attorney general in an action brought in the name of the commissioner. The commission may

Duties of attorney general.

suspend the license of a person subject to this section, at the suggestion of the state tax commission, for failure to pay such sums when due. The commissioner shall have the same powers and remedies with respect to the collection of said sums as he has with respect to the collection of income taxes under chapter sixty-two but need not send any notice or demand for payment of any excise imposed under this section.

Any licensee aggrieved by the refusal of the state tax commission to abate, in whole or in part, a tax imposed by this section, may appeal therefrom, within thirty days after the mailing of a notice of the decision of the state tax commission, by filing a petition with the clerk of the appellate tax board. If, on hearing, said board finds that the licensee making the appeal was entitled to an abatement of the tax assessed, it shall make such abatement as it sees fit.

The commissioner may require any licensee subject to this section to furnish a bond running to the commonwealth for the term of the license, in a penal sum determined, and in a form approved, by the commissioner, executed by the licensee as principal and by a surety company authorized to do business in the commonwealth as surety, and conditioned upon the payment of the excise imposed by this section upon such licensee.

Any person who shall knowingly purchase, sell or possess any alcoholic beverages or alcohol not manufactured in or imported into the commonwealth by a licensed manufacturer or a holder of a wholesaler's and importer's license for the sale and importation thereof or a licensee under section seventy-six, or a railroad or car corporation or the owner or operator of any vessel or shipping company licensed under section thirteen, or a person holding a permit for importation under section twenty-two A, or any person specifically exempted by section two, shall, in addition to any other penalties provided for violation of any provision of this chapter, be subject to a fine equal to double the amount of the excise which would have been payable by a licensee subject to this section if such alcoholic beverages or alcohol had been imported or sold by such licensee. The state police and all local police authorities shall have authority to enforce, and shall, at the request of the commissioner or his duly authorized agent, enforce the provisions of this paragraph.

Approved May 10, 1954.

Chap. 403 AN ACT PROVIDING FOR AN ACCELERATED HIGHWAY PROGRAM.

Emergency
preamble.

Whereas, The deferred operation of this act would unnecessarily delay putting into effect the accelerated highway program provided for therein, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The state department of public works, hereinafter called the department, and the metropolitan

Right of
appeal.

Surety bond,
when required
of licensee.

Additional
penalty,
when assessed.

district commission, hereinafter called the commission, are hereby authorized and directed to expend a sum not to exceed one hundred and fifty million dollars, in addition to any other appropriations which may have heretofore or may hereafter be made, for projects for the laying out, construction, reconstruction, resurfacing, relocation or improvement of highways, parkways, bridges, grade crossing eliminations and alterations of crossings at other than grade, for traffic safety devices on state highways, parkways and on roads constructed under the provisions of section thirty-four of chapter ninety of the General Laws, and for traffic studies.

The department and the commission shall accept any federal funds available for such projects, and such federal funds when received shall be credited to the Highway Fund. Federal funds so received during the fiscal year nineteen hundred and fifty-four and thereafter on account of the allocation of federal funds prior to June thirtieth, nineteen hundred and fifty-four, and for the fiscal years nineteen hundred and fifty-five, nineteen hundred and fifty-six, and nineteen hundred and fifty-seven shall be used without further appropriation to meet payments required under this act. Federal funds received shall reduce by an equal amount the total of bonds authorized to be issued by this act.

SECTION 2. Except in the case of parkway projects under the jurisdiction of the commission, the department shall have full authority to select the projects to be undertaken under the authority of this act. If any road or bridge, whether completed or under construction in any area is acquired by the Massachusetts Turnpike Authority, the department of public works is hereby authorized and directed to proceed forthwith to construct and reconstruct other roads and bridges in the same areas as defined in the bond issue or bond issues in which funds for such acquired roads and bridges were provided and to expend therefor and for no other purposes such sums not exceeding in the aggregate the amount originally expended on such acquired road or bridge from the proceeds of the bond issue authorized by this act or of any previous bond issue or bond issues but not to exceed in any event the amount received from said authority. Any sums so received are hereby made available without further appropriation.

SECTION 3. Pursuant to the provisions of section one, the commission is hereby authorized and directed to expend a sum, not to exceed twelve million dollars, for projects of the commission in the area set forth in the "Master Highway Plan for the Boston Metropolitan Area", as established and defined in Exhibit B of House Document No. 1767 of the year nineteen hundred and forty-eight.

SECTION 4. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum, not less than fifty-five million dollars, for projects in the area set forth in the "Master Highway Plan for the

Boston Metropolitan Area", as established and defined in said Exhibit B of House Document No. 1767 of the year nineteen hundred and forty-eight.

SECTION 5. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum, not to exceed eighty-three million dollars, for projects in the area set forth in "The Report on Massachusetts State Highway Needs, exclusive of Metropolitan Boston", as established and defined in Exhibit A of said House Document No. 1767, of the year nineteen hundred and forty-eight and not less than twelve million dollars of said sum shall be expended in the area west of the Connecticut river, including therein any bridges across said river with their approaches and connections, and not less than twelve million dollars in the area lying between the Connecticut river and the easterly boundary line of Worcester county excluding any bridge across said river with their approaches and connections and not less than twelve million dollars in the area comprising Essex, Middlesex and Norfolk counties including Route 128 therein, and not less than twelve million dollars in the area comprising Bristol, Plymouth, Barnstable, Dukes and Nantucket counties.

SECTION 6. The department and the commission may, on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such public or private lands, including buildings thereon, cemeteries, public parks or reservations, or parts thereof or rights therein, including buildings thereon, and public ways as it may deem necessary for carrying out the provisions of this act, including such land or rights in land as may be necessary for the construction of any necessary drainage outlets; provided, that no damages shall be paid for public lands or parks, parkways or reservations.

There is hereby created within the department of public works a real estate review board consisting of five members, to be appointed by the commissioner from members of the Boston Real Estate Board, from resident Massachusetts members of the American Institute of Real Estate Appraisers, from members of the Massachusetts Board of Real Estate Appraisers or from members of the Massachusetts Real Estate Association. All vacancies in said board shall be filled by said commissioner from a list of five names submitted by the Boston Real Estate Board and five names submitted by the Massachusetts Real Estate Association. Said department shall fix the compensation of the members of said real estate review board.

No payment in excess of twenty-five hundred dollars by way of purchase of real estate or any interest therein shall be made and no settlement in excess of twenty-five hundred dollars shall be made out of court for damages recoverable under chapter seventy-nine of the General Laws in excess of the amount recommended by said real estate review board.

No settlement in excess of twenty-five hundred dollars and in excess of the recommendation of the real estate review board shall be made by agreement of the parties during or after trial except with the written approval of the court; provided, that settlements in excess of the recommendation of the board may be made without such approval if the settlement does not exceed the amount of any verdict or finding which may have been rendered, together with interest and costs.

The department is hereby ordered and directed to file reports of all payments in excess of twenty-five hundred dollars for damages resulting from a taking or for purchase hereunder, with the clerk of the house of representatives and with the clerk of the senate not later than ninety days after payment. Such reports shall contain the amount of the payment, an affidavit that the amount was not in excess of the amount recommended by the board if payment in excess of said amount is prohibited hereunder, by whom and in what manner settled, the name of the owner or owners of the land involved and a description of said land sufficient to identify it.

SECTION 7. When the work on any project authorized by section one shall have been completed, the title to or control of such highways, lands and rights therein taken or acquired therefor as in the opinion of the department are no longer needed for state highway purposes, or in the opinion of the commission are no longer needed for parkway purposes, may be transferred by the department or the commission, as the case may be, to the city or town in which the land or the highway lies. Such sections of highway shall become city or town ways and shall be kept in good condition and repair by the city or town in which the land lies and the provisions of section twenty-five of chapter eighty-one of the General Laws shall apply thereto.

SECTION 8. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate the sum of one hundred and fifty million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on the face: Highway Improvement Loan, Act of 1954, and shall be on the serial payment plan for such maximum term of years not exceeding twenty years from the date of issue as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds

shall bear interest payable semi-annually at such rate as the state treasurer with the approval of the governor shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty.

All interest payments and payments on account of principal on such obligations shall be paid from the Highway Fund; provided, that notwithstanding the foregoing, such obligations shall be general obligations of the commonwealth.

SECTION 9. The cost of the work authorized in section one shall include all project payments, property damages, expenses for consultants and engineering services, including traffic studies, and for all legal and other technical and expert services, and incidental expenses in connection with the projects herein authorized. The department and the commission, severally, may engage such additional engineering and other personnel subject to the provisions of chapters thirty and thirty-one of the General Laws as may be necessary to carry out the terms of this act, and may also engage the services of such consulting engineers as it may deem necessary, but no increase in the number of permanent positions in the engineering force of the department or of the commission shall be allowed on account of this act.

SECTION 10. The department and the commission, respectively, shall file detailed progress reports with the governor and the clerk of the house of representatives on December thirty-first, nineteen hundred and fifty-five, December thirty-first, nineteen hundred and fifty-six, and December thirty-first, nineteen hundred and fifty-seven, and shall render a final report on or before December thirty-first, nineteen hundred and fifty-eight, relative to all projects undertaken under the provisions of this act.

SECTION 11. All contracts for the projects authorized by this act shall be entered into by the department and the commission, respectively, not later than December first, nineteen hundred and fifty-eight.

SECTION 12. The proceeds of the additional excise levied under the provisions of chapter six hundred and ninety-nine of the acts of nineteen hundred and fifty-one and the proceeds of the additional excise levied under the provisions of chapter five hundred and fifty-six of the acts of nineteen hundred and fifty-two shall be paid into the treasury and credited to the Highway Fund, and, in addition to the purposes specified in said acts, shall be used in so far as available toward meeting the interest and serial payments on the bonds of the commonwealth issued under authority of section eight of this act.

Approved May 11, 1954.

AN ACT RELATIVE TO THE OBSERVATION, EXAMINATION AND RECOMMITMENT TO A DEFECTIVE DELINQUENT DEPARTMENT OF CERTAIN PERSONS PREVIOUSLY SO COMMITTED. *Chap. 404*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the immediate observation, examination and recommitment of certain persons who may be mentally defective and a menace to the public, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience. *Emergency preamble.*

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 645 of the acts of 1953 is hereby amended by inserting after the word "farm", in line 8, the words: — and, if a female person, to the reformatory for women, — so that the first sentence will read as follows: — Any person held in a defective delinquent department whose original commitment thereto shall be judicially determined to have been procedurally improper, shall, where the interests of the public so require, forthwith upon such determination, be newly committed by the court making such determination for not more than thirty-five days' observation in the defective delinquent department of the state farm and, if a female person, to the reformatory for women, and may thereafter, in the discretion of the court, be further committed, for such observation, for an additional period, not to exceed thirty-five days, during which period or periods he shall be examined as though an application for his commitment had been duly filed under the provisions of section one hundred and thirteen of chapter one hundred and twenty-three of the General Laws.

SECTION 2. The second paragraph of section 113 of chapter 123 of the General Laws, as appearing in section 1 of chapter 608 of the acts of 1952, is hereby further amended by inserting after the word "farm", in line 5, the words: — and, if a female person, to the reformatory for women, — so as to read as follows: — *G. L. (Ter. Ed.), 123, § 113, etc., amended.*

Upon the filing of an application for commitment to a department for defective delinquents, the court shall cause such person to be committed for not more than thirty-five days' observation in the defective delinquent department of the state farm and, if a female person, to the reformatory for women, at which time such person shall be examined by two experts appointed by the commissioner of mental health with a view to determining whether or not he is mentally defective. Within thirty-five days, and after such observation and examination, the experts so appointed shall file a written report with the clerk of court in which the case is pending, and the report shall be accessible to the probation officer, to the district attorney and to the defendant and his attorney. *Commitment of defective delinquents, regulated.*

SECTION 3. The last paragraph of said section 113 of said chapter 123, as so appearing, is hereby amended by inserting after the word "farm", in line 6, the words: — *G. L. (Ter. Ed.), 123, § 113, etc., further amended.*

, and, if a female person, in the reformatory for women, — so as to read as follows: —

Same subject.

A person may appeal from the order of commitment as a defective delinquent to the superior court sitting for criminal business in the county from which he has been committed, in the manner provided by section twenty-two of chapter two hundred and twelve, but shall be held in the defective delinquent department of the state farm, and, if a female person, in the reformatory for women, to abide the final order of the court. If the appellant so requests, an issue or issues shall be framed and submitted to a jury in the superior court.

Approved May 11, 1954.

Chap. 405 AN ACT PROVIDING THAT CERTAIN TOWN MEETING VOTES SHALL BE SUBJECT TO A REFERENDUM IN THE TOWN OF MARBLEHEAD.

Be it enacted, etc., as follows:

SECTION 1. A vote passed at any town meeting held in the town of Marblehead authorizing the expenditure of fifty thousand dollars or more as a special appropriation, or establishing a new board or office or abolishing an old board or office or merging two or more boards or offices, or fixing the term of office of town officers, where such term is optional, or increasing or reducing the number of members of a board, or adopting a new by-law, or amending an existing by-law, shall not be operative until after the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the meeting, nor, if a petition for referendum thereon has been filed, until the question of the ratification of such vote has been determined in the manner herein provided. If, within said five days, a petition, signed by not less than three hundred registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen asking that the question or questions involved in such a vote be submitted to the registered voters of the town at large, then the selectmen, after the expiration of five days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or questions so involved. The polls shall be opened at two o'clock in the afternoon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several precinct meetings in the same manner as in the election of town officers. The questions so submitted shall be determined by a majority vote of the registered voters of the town voting thereon, but no action of a town meeting shall be reversed unless at least twenty per cent of the registered voters shall so vote. Each question so submitted shall be in the form of the following question, which shall be placed upon the official ballot: — "Shall

the town vote to approve the action of the town meeting whereby it was voted (brief description of the substance of the vote)?” If such petition is not filed within said period of five days, the vote of the town meeting shall become operative and effective upon the expiration of said period.

SECTION 2. This act shall be submitted to the voters of the town of Marblehead for acceptance at the next annual town meeting in the form of the following question, which shall be placed upon the official ballot used for the election of town officers: — “Shall an act passed by the general court in the year nineteen hundred and fifty-four, entitled ‘An Act providing that certain town meeting votes shall be subject to a referendum in the town of Marblehead’, be accepted?” If a majority of the voters voting on said question vote in the affirmative, then this act shall take full effect, but not otherwise. *Approved May 11, 1954.*

AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO DEVELOP
CERTAIN LAND FOR RECREATIONAL PURPOSES, AND THERE-
AFTER SELL OR LEASE THE LOWELL PLAYGROUND. *Chap. 406*

Be it enacted, etc., as follows:

SECTION 1. Upon certification of the park commissioners and the recreation commission of the town of Brookline to the selectmen thereof that the land on Hammond street in said town acquired from Edward Dane and the Baldwin playground have been developed and are available for public use, said town, by its selectmen pursuant to a vote of the town at an annual or special town meeting, may sell or lease at public auction or public sale, the whole or any part of a certain parcel of real estate in said town which was acquired for playground purposes and is no longer needed for public use. Said parcel is bounded and described as follows: — Beginning at a point on the northerly side of Heath Street as widened by the town June 12, 1928, at land now or formerly of the Holyhood Cemetery Association; thence running northwesterly by land now or formerly of said Holyhood Cemetery Association, J. A. and L. B. Craven, M. Tagline and F. B. Tallino for a distance of three hundred fifty-eight and 85/100 feet to the south side of Boylston Street. as laid out as a state highway by the Commonwealth of Massachusetts Department of Public Works on September 13, 1933; thence running southwesterly on the south side of said Boylston Street on three lines for distances of five and 59/100 feet; twenty-six and 28/100 feet, and seven hundred thirty-five and 78/100 feet, respectively, to a point on the division between the town of Brookline and the city of Newton; thence running southeasterly along the division line between the town of Brookline and the city of Newton, and by land now or formerly of Wyco Realty of Newton Incorporated for a distance of three hundred fifty-six and 52/100 feet; thence running easterly by land now or formerly

of H. R. O'Hearn for a distance of eighty-eight and 10/100 feet to the said northerly line of Heath Street; thence running easterly on the said north side of Heath Street by a straight line for a distance of fifty-eight and 42/100 feet; thence running northeasterly by a curve to the right having a radius of one hundred seventy-five feet for a distance of one hundred seventy-seven and 24/100 feet; thence running easterly by a curve to the right having a radius of two thousand thirty-five and 30/100 feet for a distance of one hundred forty-one and 70/100 feet; thence running easterly by a straight line for a distance of fifty-six and 27/100 feet; thence running easterly by a curve to the right having a radius of six hundred forty feet for a distance of one hundred eighteen and 74/100 feet; thence running easterly by a straight line for a distance of one hundred twenty-eight and 73/100 feet; thence running easterly by a curve to the left having a radius of two thousand nine hundred eighty feet for a distance of sixty-four and 78/100 feet to the point of beginning. Containing two hundred thirty-six thousand, one hundred eighty-one square feet, more or less.

Being the same premises conveyed to the town of Brookline by deed dated April 29, 1907 given by John Lowell, et al, recorded with the Norfolk County Registry of Deeds in book 1053, page 383 and shown on a plan by Aspinwall and Lincoln, Civil Engineers, dated April 20, 1907, except that portion taken by the town of Brookline April 29, 1928 for highway purposes as shown on a plan by Henry A. Varney, Town Engineer, dated May 17, 1928.

SECTION 2. Notwithstanding the provisions of section sixty-three of chapter forty-four of the General Laws, the proceeds of any such sale or lease shall be deposited with the treasurer of said town and held as a separate account. Appropriations therefrom may be made by vote of the town for the following purposes: — the development, for recreational purposes, of the land on Hammond street in said town, recently acquired from Edward Dane; the development of the Baldwin playground; the restoration to available funds in the treasury of any amounts that may hereafter be appropriated from available funds for the foregoing purposes; and the payment into the treasury of such amounts as may hereafter be raised by taxation for such purposes. The balance, if any, may be appropriated for public recreational purposes.

SECTION 3. For the purpose of developing, for recreational purposes, said land on Hammond street and said Baldwin playground, the town of Brookline may borrow from time to time such sums as may be necessary and may issue bonds or notes of the town therefor, which shall bear on their face the words, Brookline Playground Development Loan, Act of 1954. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be within the statutory limit and shall be subject to the provisions of chapter forty-four of the General Laws, including

the limitation contained in the first paragraph of section seven thereof.

SECTION 4. This act shall take effect upon its passage.

Approved May 12, 1954.

AN ACT PROVIDING ADJUSTMENTS IN THE PERMANENT SALARY SCHEDULES FOR EMPLOYEES OF THE COMMONWEALTH. *Chap. 407*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further perfect the classified service of the commonwealth, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Section 46 of chapter 30 of the General Laws is hereby amended by striking out the salary schedules therein, as appearing in section 2 of chapter 715 of the acts of 1951, and inserting in place thereof the following: —

G. L. (Ter. Ed.), 30, § 46, etc., amended.

GENERAL SALARY SCHEDULE.

Effective July 1, 1954.

SALARY GRADE No.	Incre- ment.	RATES (ON TOTAL CASH BASIS).						
		Mini- mum.	Second Year.	Third Year.	Fourth Year.	Fifth through Seventh Year.	Eighth through Eleventh Year.	Maxi- mum from Twelfth Year.
1	\$120	\$1,980	\$2,100	\$2,220	\$2,340	\$2,460	\$2,580	\$2,700
2	120	2,040	2,160	2,280	2,400	2,520	2,640	2,760
3	120	2,100	2,220	2,340	2,460	2,580	2,700	2,820
4	120	2,160	2,280	2,400	2,520	2,640	2,760	2,880
5	120	2,220	2,340	2,460	2,580	2,700	2,820	2,940
6	120	2,280	2,400	2,520	2,640	2,760	2,880	3,000
7	120	2,340	2,460	2,580	2,700	2,820	2,940	3,060
8	120	2,400	2,520	2,640	2,760	2,880	3,000	3,120
9	120	2,460	2,580	2,700	2,820	2,940	3,060	3,180
10	120	2,520	2,640	2,760	2,880	3,000	3,120	3,240
11	120	2,580	2,700	2,820	2,940	3,060	3,180	3,300
12	120	2,640	2,760	2,880	3,000	3,120	3,240	3,360
13	120	2,700	2,820	2,940	3,060	3,180	3,300	3,420
14	120	2,760	2,880	3,000	3,120	3,240	3,360	3,480
15	120	2,820	2,940	3,060	3,180	3,300	3,420	3,540
16	120	2,880	3,000	3,120	3,240	3,360	3,480	3,600
17	120	2,940	3,060	3,180	3,300	3,420	3,540	3,660
18	120	3,000	3,120	3,240	3,360	3,480	3,600	3,720
19	120	3,060	3,180	3,300	3,420	3,540	3,660	3,780
20	120	3,120	3,240	3,360	3,480	3,600	3,720	3,840
21	120	3,180	3,300	3,420	3,540	3,660	3,780	3,900
22	120	3,240	3,360	3,480	3,600	3,720	3,840	3,960
23	120	3,300	3,420	3,540	3,660	3,780	3,900	4,020
24	120	3,360	3,480	3,600	3,720	3,840	3,960	4,080
25	120	3,420	3,540	3,660	3,780	3,900	4,020	4,140
26	120	3,480	3,600	3,720	3,840	3,960	4,080	4,200
27	120	3,540	3,660	3,780	3,900	4,020	4,140	4,260

GENERAL SALARY SCHEDULE — *Concluded.**Effective July 1, 1954 — Concluded.*

SALARY GRADE No.	Incre- ment.	RATES (ON TOTAL CASH BASIS).						
		Mini- mum.	Second Year.	Third Year.	Fourth Year.	Fifth through Seventh Year.	Eighth through Eleventh Year.	Maxi- mum from Twelfth Year.
28	\$120	\$3,600	\$3,720	\$3,840	\$3,960	\$4,080	\$4,200	\$4,320
29	120	3,660	3,780	3,900	4,020	4,140	4,260	4,380
30	120	3,720	3,840	3,960	4,080	4,200	4,320	4,440
31	180	3,780	3,960	4,140	4,320	4,500	4,680	4,860
32	180	3,840	4,020	4,200	4,380	4,560	4,740	4,920
33	180	3,900	4,080	4,260	4,440	4,620	4,800	4,980
34	180	3,960	4,140	4,320	4,500	4,680	4,860	5,040
35	180	4,020	4,200	4,380	4,560	4,740	4,920	5,100
36	180	4,080	4,260	4,440	4,620	4,800	4,980	5,160
37	180	4,140	4,320	4,500	4,680	4,860	5,040	5,220
38	180	4,200	4,380	4,560	4,740	4,920	5,100	5,280
39	180	4,260	4,440	4,620	4,800	4,980	5,160	5,340
40	180	4,320	4,500	4,680	4,860	5,040	5,220	5,400
41	180	4,380	4,560	4,740	4,920	5,100	5,280	5,460
42	180	4,440	4,620	4,800	4,980	5,160	5,340	5,520
43	180	4,500	4,680	4,860	5,040	5,220	5,400	5,580
44	180	4,560	4,740	4,920	5,100	5,280	5,460	5,640
45	180	4,620	4,800	4,980	5,160	5,340	5,520	5,700
46	180	4,680	4,860	5,040	5,220	5,400	5,580	5,760
47	180	4,740	4,920	5,100	5,280	5,460	5,640	5,820
48	180	4,800	4,980	5,160	5,340	5,520	5,700	5,880
49	240	4,860	5,100	5,340	5,580	5,820	6,060	6,300
50	240	4,980	5,220	5,460	5,700	5,940	6,180	6,420
51	240	5,100	5,340	5,580	5,820	6,060	6,300	6,540
52	240	5,220	5,460	5,700	5,940	6,180	6,420	6,660
53	240	5,340	5,580	5,820	6,060	6,300	6,540	6,780
54	240	5,460	5,700	5,940	6,180	6,420	6,660	6,900
55	240	5,580	5,820	6,060	6,300	6,540	6,780	7,020
56	240	5,700	5,940	6,180	6,420	6,660	6,900	7,140
57	240	5,820	6,060	6,300	6,540	6,780	7,020	7,260
58	300	5,880	6,180	6,480	6,780	7,080	7,380	7,680
59	300	6,180	6,480	6,780	7,080	7,380	7,680	7,980
60	300	6,480	6,780	7,080	7,380	7,680	7,980	8,280
61	300	6,780	7,080	7,380	7,680	7,980	8,280	8,580
62	300	7,080	7,380	7,680	7,980	8,280	8,580	8,880
63	300	7,380	7,680	7,980	8,280	8,580	8,880	9,180
64	300	7,680	7,980	8,280	8,580	8,880	9,180	9,480
65	300	7,980	8,280	8,580	8,880	9,180	9,480	9,780
66	300	8,280	8,580	8,880	9,180	9,480	9,780	10,080
67	300	8,580	8,880	9,180	9,480	9,780	10,080	10,380
68	300	8,880	9,180	9,480	9,780	10,080	10,380	10,680
69	300	9,180	9,480	9,780	10,080	10,380	10,680	10,980
70	300	9,480	9,780	10,080	10,380	10,680	10,980	11,280
71	300	9,780	10,080	10,380	10,680	10,980	11,280	11,580
72	300	10,080	10,380	10,680	10,980	11,280	11,580	11,880
73	300	10,380	10,680	10,980	11,280	11,580	11,880	12,180
74	300	10,680	10,980	11,280	11,580	11,880	12,180	12,480
75	300	10,980	11,280	11,580	11,880	12,180	12,480	12,780
76	300	11,280	11,580	11,880	12,180	12,480	12,780	13,080
77	300	11,580	11,880	12,180	12,480	12,780	13,080	13,380

LABOR SERVICE SALARY SCHEDULE.

Effective July 1, 1954.

SALARY GRADE No.	Incre- ment.	RATES (ON TOTAL CASH BASIS).						
		Mini- mum.	Seven through Twelve Months.	Thirteen through Eighteen Months.	Nineteen Months through Third Year.	Fourth Year through Fifth Year.	Sixth Year through Ninth Year.	Maxi- mum from Tenth Year.
1	\$60	\$2,820	\$2,880	\$2,940	\$3,000	\$3,060	\$3,120	\$3,180
2	60	2,880	2,940	3,000	3,060	3,120	3,180	3,240
3	60	2,940	3,000	3,060	3,120	3,180	3,240	3,300
4	60	3,000	3,060	3,120	3,180	3,240	3,300	3,360
5	60	3,060	3,120	3,180	3,240	3,300	3,360	3,420
6	60	3,120	3,180	3,240	3,300	3,360	3,420	3,480
7	60	3,180	3,240	3,300	3,360	3,420	3,480	3,540
8	60	3,240	3,300	3,360	3,420	3,480	3,540	3,600
9	60	3,300	3,360	3,420	3,480	3,540	3,600	3,660
10	60	3,360	3,420	3,480	3,540	3,600	3,660	3,720
11	60	3,480	3,540	3,600	3,660	3,720	3,780	3,840
12	60	3,600	3,660	3,720	3,780	3,840	3,900	3,960
13	60	3,720	3,780	3,840	3,900	3,960	4,020	4,080

SECTION 2. Said section 46 of said chapter 30 is hereby further amended by striking out paragraph (2), as most recently amended by section 1 of chapter 421 of the acts of 1952, and inserting in place thereof the following paragraph:—

(2) For purposes of salary increments provided for in the General Salary Schedule, a year of service shall be a period of fifty-two weeks of work if pay roll is on a weekly basis, and if pay roll is on a monthly basis then twelve months of work shall constitute a year of service. A pay-roll period in the case of weekly pay roll shall be a period of seven consecutive days, and in the case of monthly pay roll shall be a calendar month. Increments shall commence on the first day of the pay-roll period in which such increments fall; provided, however, that if an employee is off the pay roll for one or more days, such increment shall be postponed in accordance with the rules and regulations of the division of personnel and standardization.

In cases of weekly pay-roll periods, increments in salary grades numbered one to fourteen, inclusive, under the General Salary Schedule shall be increases of sixty dollars at intervals of twenty-six weeks of work, during the first, second and third year, and at the beginning of the fifth, eighth and twelfth years said increments shall be increases of one hundred and twenty dollars; in cases of those on a monthly pay roll, said increments shall be increases of sixty dollars at intervals of six months of work during the first, second and third year, and at the beginning of the fifth, eighth and twelfth years said increments shall be increases of one hundred and twenty dollars; in cases of those on a

G. L. (Ter. Ed.), 30, § 46, etc., further amended.

Salary increment provisions, regulated.

weekly pay-roll period, increments in Labor Service Salary Schedule shall be increases of sixty dollars at intervals of twenty-six weeks of work during the first eighteen months of service; if on a monthly pay roll, said increments shall be increases of sixty dollars at intervals of six months of work during the first eighteen months of service. Subsequent salary increments in Labor Service Salary Schedule shall become due at the beginning of the fourth, sixth, and tenth years of service. Increments in salary grades except as provided above shall be increases at intervals of a year's service in the first, second and third years and thereafter at the beginning of the fifth, eighth and twelfth years' service.

Effect of
promotion on
salary grade
and rate.

SECTION 3. The salary grade and rate of each officer and employee whose position is classified under sections forty-five to fifty, inclusive, of chapter thirty of the General Laws on the effective date of this act shall be the grade and rate to which his position is allocated on said date and in accordance with sections one and two of this act. On the effective date of this act, any person subject to the provisions of said sections forty-five to fifty, inclusive of said chapter thirty who has received a promotion since July first, nineteen hundred and forty-eight, and whose rate in his present salary grade as determined under this act would be less because of his most recent promotion to his present grade than the rate to which the person would be entitled if his promotion occurred on July first, nineteen hundred and fifty-four, his rate shall be that which he would have received if his promotion had been deferred until July first, nineteen hundred and fifty-four.

Effective
date.

SECTION 4. This act shall take effect July first, nineteen hundred and fifty-four.

Approved May 18, 1954.

Chap.408

AN ACT RESTRICTING DENTAL ADVERTISING.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prevent, at once certain dental advertising, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 112, § 50,
etc., amended.

SECTION 1. Chapter 112 of the General Laws is hereby amended by striking out section 50, as amended by chapter 333 of the acts of 1949, and inserting in place thereof the following section: — *Section 50.* A person shall be deemed to be practicing dentistry if he holds himself out as being able to diagnose, treat, operate or prescribe for any disease, pain, injury, deficiency, deformity or other condition of the human teeth, alveolar process, gums or jaws, and associated parts, intraorally or extraorally, or if he either offers or undertakes by any method to diagnose, treat, operate or prescribe for any disease, pain, injury, deficiency, deformity

Practice of
dentistry,
defined.

or other condition of the same; or if he, except on the written prescription of a registered dentist and by the use of impressions made by a registered dentist, directly or indirectly by mail, carrier, personal agent, or by any other method, supplies, constructs, reproduces, relines, repairs, adds or directs the application of any substance, of a durable nature, to dentures, bridges, appliances or other structures to be used and worn as substitutes for natural teeth or solicits or advertises, except as permitted in section fifty-two A, to supply, construct, reproduce, repair, reline, add or direct the application of any substance, of a durable nature, to dentures, bridges, appliances or other structures to be used and worn as substitutes for natural teeth; or if he places such substitutes in the mouth or adjusts the same.

SECTION 2. Said chapter 112 is hereby further amended by striking out section 52A, as amended by chapter 253 of the acts of 1937, and inserting in place thereof the following section: — *Section 52A.* No registered dentist, person practicing dentistry, or dental hygienist shall include, or permit or cause to be included, in any newspaper, radio, display sign, personal solicitation or other manner of advertising, any written or spoken words or statements of a character tending to deceive or mislead the public, or claiming professional superiority or the performance of professional services in a superior manner, or the performance of painless operations of a dental or oral surgical nature, or tending to solicit patronage for his business, services, advice or products, or advertising fixed prices for professional services or materials or appliances, including dentures, bridges and other structures to be worn as substitutes for natural teeth, or the use of any drug, nostrum, patent or proprietary medicine of an unknown formula, or advertising to use any system of anesthetics without truly and accurately naming the same or to use any such system unless such system is in fact used, or shall advertise with signs or printed advertisements, or by means of show cases, containing the representation of a tooth, teeth, dental restoration of any kind or of whatsoever design or description or any portion of the human head or neck or photograph of any person, or shall make or set forth any promises, guarantees, offers, inducements, representations, statements or rewards of a character tending to influence, persuade or induce persons to seek, employ or patronize his business, service, advice or products; provided, that, notwithstanding the foregoing, a person subject to this section may (1) use and distribute personal professional cards setting forth his name, title, address or addresses, telephone number or numbers and office hours, and, if he limits his practice to a specialty, containing a statement of such specialty; (2) use and distribute personal professional cards or other notices announcing his change of address or his entrance into, absence from or return to business; (3) issue personal appointment cards to his patients, stating thereon the time and place of appointment and con-

G. L. (Ter. Ed.), 112, § 52A, etc., amended.

Dental advertising, restricted.

taining any statements hereinbefore authorized to be set forth in his personal professional cards; (4) display his name and any such authorized statements, by means of a sign or signs at his residence or place of business, or both, or upon the windows thereof, or upon a door plate or in a building directory, so called, thereat; and (5) insert his name and any such authorized statements in the public print, in the form of advertisements or notices not more than one column in width nor more than two inches in depth. Nothing in the provisions of this section shall be construed to apply to or prohibit, restrict or limit the operations of the business of a dental laboratory.

G. L. (Ter.
Ed.), 112, new
§ 52C, added.

Same
subject.

SECTION 3. Said chapter 112 is hereby further amended by inserting after section 52B, inserted by chapter 281 of the acts of 1934, the following section: — *Section 52C.* No person engaged in the business of supplying, constructing, reproducing, relining, repairing, adding or directing the application of any substance of a permanent nature to dentures, bridges, appliances or other structures to be worn as substitutes for natural teeth shall advertise his services, technique or materials to the general public by means of advertisements in public newspapers, magazines or by radio or television display advertisements excepting, advertisements in professional or trade papers, trade journals, trade directories, trade periodicals, trade magazines, and in the public telephone directories; nor shall any person so engaged in any way directly solicit the patronage of the general public for any dental services, dental materials or dental appliances.

Approved May 13, 1954.

Chap. 409 AN ACT PROVIDING FOR ADVANCE PAYMENTS TO THE METROPOLITAN TRANSIT AUTHORITY WITH RESPECT TO CERTAIN DEFICIENCIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 544 of the acts of 1947 is hereby amended by inserting after section 13 the following section: — *Section 13A.* If during any calendar year the trustees, in their opinion, have not sufficient cash to make the payments required in the course of their management and operation of the transportation system and other properties under their control, the trustees may, from time to time during such year, certify to the state treasurer an amount which together with all amounts previously paid in such year to the authority under this section shall not exceed the amount by which the income of the authority has failed to meet the cost of the service as estimated by the trustees for that portion of such year which has expired up to the date of such certification; and the commonwealth shall thereupon pay over to the authority the amount so certified. If payments made by the commonwealth during any calendar year under this section exceed the amount of the deficiency as of the last day of such calendar year which

the commonwealth shall be called upon to pay under section thirteen, such excess shall be repaid to the commonwealth by the authority at the time the trustees notify the state treasurer of the amount of such deficiency or, if there is no such deficiency, at the time the trustees ascertain that there is no such deficiency. Any amounts which the commonwealth shall be called upon to pay the authority under this section during any calendar year, less any repayments to the commonwealth under this section, shall be treated as payments on account of the amount which the commonwealth shall be called upon to pay under section thirteen with respect to a deficiency as of the last day of such calendar year; and the interest and other charges incurred by the state treasurer in borrowing money under this section shall be treated as interest incurred by the state treasurer in borrowing money under section thirteen. In order to meet any payment required of the commonwealth under this section the state treasurer may borrow at any time, in anticipation of the assessments to be levied in the following year under section thirteen, upon the cities and towns constituting the authority, such sums of money as may be necessary to make said payments and he shall repay any sums so borrowed as soon after said assessments are paid as is expedient.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1954.

AN ACT RELATIVE TO THE COLLECTION OF A MONTHLY LICENSE FEE FOR TRAILER COACHES LOCATED IN TRAILER COACH PARKS.

Chap. 410

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to change forthwith certain provisions of the law relative to the collection of certain license fees for certain trailer coaches, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 32G, as most recently amended by section 1 of chapter 583 of the acts of 1952, and inserting in place thereof the following section:— *Section 32G.* In addition to the license fee provided for under section thirty-two B, each trailer coach park owner or operator licensed under said section shall pay an additional license fee of four dollars per month or major fraction thereof, on account of each trailer coach occupying space within the said trailer coach park. Such license fee shall be collected by the trailer park operator from the owner or occupant of each trailer so occupying space in such trailer park at the end of each said month or major fraction thereof, and shall be deposited with the collector of taxes in the city or town in which the

G. L. (Ter.
Ed.), 140,
§ 32G, etc.,
amended.

Collection of
license fee for
certain trailer
coaches,
regulated.

trailer coach park is located not later than the tenth day of the month next following. The trailer park operator shall, not later than the fifth day of each month, file with the licensing authority a list containing the amounts collected together with the name and address of each owner or occupant of a trailer coach occupying space during the preceding month. The licensing authority shall forthwith commit the list to the collector of taxes in the city or town in which the trailer coach park is located for collection. Such a collector shall in the collection of such accounts have all the remedies provided by sections thirty-five, thirty-six and ninety-three of chapter sixty for the collection of taxes on personal property. The collector of taxes shall, once in each week or oftener, pay over to the city or town treasurer all money received by him during the preceding week or lesser period on account of such license fees. Each trailer coach subject to the license fee provided for in this section shall be exempt from any property tax as provided in clause Thirty-sixth of section five of chapter fifty-nine.

Exemption
from property
tax granted.

The collector of taxes shall report to the licensing authority any failure to deposit with him any license fee so collected, and any failure by a trailer park operator to collect any license fee provided for under this section or to deposit with the collector of taxes any license fee so collected shall be deemed cause for the revocation of any license granted under section thirty-two B. In addition, any wilful failure to deposit with the collector of taxes a license fee which has been so collected shall be punishable by a fine of not less than ten nor more than one hundred dollars for each fee so collected and not deposited.

Penalty.

Approved May 13, 1954.

Chap. 411 AN ACT RELATIVE TO THE RETIREMENT RIGHTS OF THE FEMALE EMPLOYEES OF THE CAFETERIAS OF THE DANVERS SCHOOL DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section three of chapter five hundred and forty-three of the acts of nineteen hundred and fifty-one, or any provision of general or special law, the female employees of the cafeterias of the Danvers school department, for the purpose of determining their respective retirement rights under the contributory retirement system of the town of Danvers, shall be allowed as creditable service all service rendered by them in the cafeterias of the Danvers school department; provided, that they shall pay into the annuity savings fund, in one sum or in instalments, an amount equal to that which would have been withheld as regular deductions from their regular compensation had they joined the system when first eligible to become members, together with regular interest.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1954.

AN ACT AUTHORIZING FIRE DISTRICT NUMBER TWO IN THE TOWN OF SOUTH HADLEY TO BORROW MONEY FOR WATER PURPOSES. Chap.412

Be it enacted, etc., as follows:

SECTION 1. Fire District Number Two in the Town of South Hadley, for the purpose of paying the necessary expenses for improving its water supply system and in order to improve the adequacy and reliability of water service for fire protection and for domestic use, and more particularly, but without limiting the generality of the foregoing, for the following additions, extensions and improvements to the existing water supply system, including acquisition of lands and easements in connection therewith: (1) Prospect Hill standpipe, including foundation, drain and twelve-inch connection to the existing Park street six-inch pipe; (2) Park street twelve-inch pipe from College street to connect with standpipe; (3) force main from pumping station to existing standpipes, force main to be eight-inch from pumping station to Moody Corner and then ten-inch to standpipe; (4) additions and alterations to main pumping station, including new pumps, motors, automatic controls, chlorinator and all related piping and electrical work; (5) Lythia Springs pipeline from existing reservoir to end of existing pipeline at Elmer Brook pumping station, proposed pipe to be eight-inch; (6) Mosier street eight-inch main forty-five hundred feet to connect with existing main on College street; and (7) new filter bed, may borrow from time to time within five years from the passage of this act such sums of money as may be necessary, not exceeding in the aggregate, two hundred and twenty-five thousand dollars, and may issue bonds or notes of the district which shall bear on their face the words, Fire District Number Two in the Town of South Hadley Water Loan, Act of 1954. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be within the statutory limit of indebtedness for districts authorized by chapter forty-four of the General Laws, and, except as otherwise provided by this act, shall be subject to the applicable provisions of said chapter.

SECTION 2. This act shall take effect upon its passage.
Approved May 13, 1954.

AN ACT RELATIVE TO THE RETIREMENT ALLOWANCE OF FREDERICK D. WETHERBEE, AN EMPLOYEE OF THE TOWN OF BARNSTABLE. Chap.413

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the Barnstable county retirement board shall, in computing the retirement allowance of Frederick D. Wetherbee, an employee of the town of Barnstable,

allow him credit for all periods of time, prior to April third, nineteen hundred and fifty, during which he was in the employ of said town and in the naval service of this country or receiving hospital care or treatment as a result of a disability incurred during said naval service.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1954.

Chap.414 AN ACT TO VALIDATE THE LAYING OUT, ALTERATION, RELOCATION OR DISCONTINUANCE OF CERTAIN PUBLIC WAYS IN THE TOWN OF LONGMEADOW.

Be it enacted, etc., as follows:

SECTION 1. The laying out, alteration, relocation or discontinuance of all public ways in the town of Longmeadow, in so far as such laying out, alteration, relocation or discontinuance may be invalid by reason of failure to comply with the provisions of section eighty-one I of chapter forty-one of the General Laws, are hereby validated and confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1954.

Chap.415 AN ACT RELATIVE TO THE PAYMENT BY THE TOWN OF SOMERSET OF THE COSTS OF ITS SEWERAGE AND SEWAGE DISPOSAL SYSTEM OR SYSTEMS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 17 of the acts of 1953 is hereby amended by striking out section 7 and inserting in place thereof the following section: — *Section 7.* The town shall, by vote, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewage disposal and if a portion, what proportion. If the town votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by General Laws, and the provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum. At the same meeting at which it determines that any portion of the cost is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1954.

AN ACT AUTHORIZING THE CONVEYANCE OF CERTAIN STATE LAND TO BOSTON POLICE POST NO. 1018, VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC. Chap.416

Be it enacted, etc., as follows:

SECTION 1. The commissioner of mental health, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to convey for a nominal consideration to Boston Police Post, No. 1018, Veterans of Foreign Wars of the United States, Inc. all the right, title and interest of the commonwealth in and to a triangular parcel of land at the Boston state hospital, bounded as follows:—Southerly by the American Legion Highway; westerly by Morton street; and northerly by Canterbury street. In the event that a structure, such as a club house to be used as a recreational or educational center, is not constructed on said land by the grantee on or before the first day of January, nineteen hundred and fifty-nine, then title to all of said land shall revert to and be vested in the commonwealth. The deed conveying said land shall be approved as to its form by the attorney general.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1954.

AN ACT RELATIVE TO THE USE OF THE UNEXPENDED PROCEEDS OF CERTAIN BOND ISSUES OF THE METROPOLITAN TRANSIT AUTHORITY. Chap.417

Be it enacted, etc., as follows:

SECTION 1. Section 6A of chapter 649 of the acts of 1949, inserted by section 3 of chapter 197 of the acts of 1953, is hereby amended by adding at the end thereof the following sentence:— If said advisory board votes after March nineteenth, nineteen hundred and fifty-three not to approve any of the projects authorized by sections two, three, three A or three B of this act, the unexpended proceeds of any bonds previously issued by the authority to obtain funds for such project may be used by the authority for the purpose of making alterations under paragraph (i) of section eight A of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven, or of restoring to the treasury of the authority funds expended for such purposes, and, pending such use, may be invested in obligations of the United States government, maturing, in the case of each purchase of such obligations by the authority, in not more than one year from the date of such purchase; provided, however, that of said unexpended proceeds not more than one hundred thousand dollars shall be used for any one alteration project without the approval of said advisory board.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1954.

Chap. 418 AN ACT RELATIVE TO THE HEIGHT TO WHICH BUILDINGS
MAY BE CONSTRUCTED ON THE LAND AT THE SOUTHERLY
CORNER OF COMMONWEALTH AVENUE AND ARLINGTON
STREET IN THE CITY OF BOSTON.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make immediate provision relative to the height of certain buildings to be erected, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared that the land described in section two of this act has through continued unoccupancy of certain of the buildings thereon become decadent to such an extent as to be detrimental to the area in which it is situated; that the rehabilitation of said land is being thwarted by the provisions of existing law restricting the height to which a building may be erected thereon; that said land is adjacent to premises on which a building has been constructed to the height of one hundred and fifty-five feet; that the value of said land is disproportionate to a building of any lesser height than one hundred and fifty-five feet; that the construction of a building on said land to a height of one hundred and fifty-five feet would enable said land to be put to its most beneficial use without substantial detriment to the public good and without substantially derogating from the intent or purpose of the aforesaid height restrictions; and that the enactment of section two of this act is hereby declared to be for the good and welfare of the community.

SECTION 2. Any provision of general or special statute, ordinance, rule or regulation to the contrary notwithstanding, any building otherwise conforming to law may be erected to a height of one hundred and fifty-five feet on the land in the city of Boston bounded northerly by Commonwealth avenue, easterly by Arlington street, southerly by public alley number four hundred and thirty-seven, and westerly by a line parallel with, and one hundred and forty-seven feet westerly from, the westerly line of Arlington street; provided, however, that no building shall at any time be erected on said land except in accordance with plans approved by the parks and recreation commission of said city.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved May 13, 1954.

AN ACT RELATIVE TO THE CARE AND MAINTENANCE OF CERTAIN AREAS UNDER THE CONTROL OF THE DEPARTMENT OF NATURAL RESOURCES, THE APPORTIONMENT OF THE COSTS OF THE DIVISION OF PUBLIC BEACHES IN THE DEPARTMENT OF PUBLIC WORKS, AND ESTABLISHING THE STATE RECREATION AREAS FUND.

Chap.419

Be it enacted, etc., as follows:

SECTION 1. Chapter 132A of the General Laws is hereby amended by striking out the title thereof and inserting in place thereof the following title: — STATE RECREATION AREAS OUTSIDE OF THE METROPOLITAN PARKS DISTRICT.

G. L. (Ter. Ed.), 132A, new title inserted.

SECTION 2. Section 1 of said chapter 132A, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the word “conservation” and inserting in place thereof the words: — natural resources, — so as to read as follows: — *Section 1.* The commissioner of natural resources, in this chapter called the commissioner, with the approval of the governor and council, may accept in trust, on behalf of the commonwealth, bequests or gifts to be used for the purpose of advancing the recreational and conservation interests and policies of the commonwealth, and shall administer the same in such manner as to carry out the terms of such bequests or gifts, and he may, subject to like approval, accept on behalf of the commonwealth, gifts of land outside of the metropolitan parks district to be held and managed for recreational and conservation purposes. All moneys and securities received hereunder shall be transferred forthwith to the state treasurer, who shall administer the same as provided by section sixteen of chapter ten.

G. L. (Ter. Ed.), 132A, § 1, amended.

Acceptance in trust by commissioner of bequests or gifts, authorized.

SECTION 3. Section 2 of said chapter 132A, as amended by section 37 of chapter 490 of the acts of 1941, is hereby further amended by striking out, in line 9, the words “parks and recreation” and inserting in place thereof the words: — forests and parks, — and by striking out, in line 10, the word “conservation” and inserting in place thereof the words: — natural resources, — so as to read as follows: — *Section 2.* The commissioner, with like approval, on petition of any board or commission charged with the care and maintenance of any park or reservation owned by the commonwealth outside of the metropolitan parks district, with the approval of the county commissioners of the county or counties wherein such park or reservation is situated, except in cases where said county commissioners are the petitioners, may, on behalf of the commonwealth and acting through the division of forests and parks in the department of natural resources, in sections three to nine, inclusive, called the division, assume the care and maintenance of such park or reservation, and thereafter shall expend for the care and maintenance thereof such sums as may be appropriated therefor.

G. L. (Ter. Ed.), 132A, § 2, etc., amended.

Assumption of care and maintenance of certain parks or reservations, authorized.

G. L. (Ter. Ed.), 132A, § 4, amended.

Apportionment of expenses among cities and towns, how determined.

SECTION 4. Section 4 of said chapter 132A, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "in" in line 6, the words: —, and to meet the expenses, costs and deficiencies of the division of public beaches in the department of public works, — so as to read as follows:— *Section 4.* The proportion in which each city and town of the commonwealth, exclusive of those comprising the metropolitan parks district, but including Cohasset, shall annually pay money into the treasury of the commonwealth to meet the expenses incurred under this chapter, and the cost of maintaining the division, and any deficiency in the amounts previously paid in, and to meet the expenses, costs and deficiencies of the division of public beaches in the department of public works, shall annually be determined by the state treasurer according to the average percentage of valuation and population, determined as to any city or town by adding together the percentage which the valuation of the same bears to the total valuation of the cities and towns of the commonwealth, exclusive of those comprising said district, but including Cohasset, and the percentage which the population of such city or town bears to the total population of the cities and towns of the commonwealth, exclusive of those comprising said district, but including Cohasset, and dividing this sum by two.

G. L. (Ter. Ed.), 132A, new § 10, added.
State Recreation Areas Fund, established.

SECTION 5. Said chapter 132A is hereby further amended by inserting after section 9 the following section:— *Section 10.* Moneys received by the department of natural resources pertaining to state parks and reservations outside the metropolitan parks district and moneys received by the division of public beaches in the department of public works shall be credited on the books of the commonwealth to a fund to be known as the State Recreation Areas Fund which shall be successor to the Parks and Salisbury Beach Reservation Fund and be expended, subject to appropriation and the laws relating to state finances, for the purposes of state parks, reservations and public beaches outside the metropolitan parks district.

G. L. (Ter. Ed.), 10, § 16, amended.

Duties of state treasurer in connection with certain trust funds.

SECTION 5A. Section 16 of chapter 10 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 4 and 5, the words "conservation under section one hundred and fifteen" and inserting in place thereof the words:— natural resources under section ninety, — so as to read as follows:— *Section 16.* He shall invest, reinvest and hold in the name of the commonwealth any money or securities, or the proceeds thereof, received from the department of education under section three of chapter sixty-nine, or from the commissioner of natural resources under section ninety of chapter one hundred and thirty-one, under section two of chapter one hundred and thirty-two or under section one of chapter one hundred and thirty-two A, or from the trustees of the state library under section thirty-seven A of chapter six, and shall disburse the income or principal thereof on the order of the

commissioner of the department having charge of the work in aid of which the gift or bequest was made, or on the order of the trustees of the state library in case of gifts or bequests for the use of the state library; provided, that no disposition of either income or principal shall be made which is inconsistent with the terms of the trust on which the property is held. He shall be responsible on his bond for the faithful management of all such property.

SECTION 6. This act shall take effect on July first, nineteen hundred and fifty-four. *Approved May 13, 1954.* Effective date.

AN ACT RELATIVE TO THE AMOUNT OF PENSIONS OF LABORERS EMPLOYED BY THE CITY OF BOSTON AND RETIRED UNDER A CERTAIN SPECIAL LAW. *Chap.420*

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 413 of the acts of 1911 is hereby amended by striking out the last sentence, inserted by section 1 of chapter 377 of the acts of 1949, and inserting in place thereof the following sentence: — A laborer retired under the provisions of this section shall, if at the time of retirement he has attained age sixty-five and has been in the service of the city of Boston for a period of not less than thirty-five years, receive for the remainder of his life an annual pension of fifteen hundred dollars; otherwise, of twelve hundred dollars.

SECTION 2. The pension of every laborer retired before the effective date of this act under said chapter four hundred and thirteen, as amended, shall be paid from and after the first day of the calendar month next following the acceptance of this act in the amount established by the provisions of this act.

SECTION 3. This act shall take full effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved May 13, 1954.

AN ACT RELATIVE TO THE APPOINTMENT OF A SUPERINTENDENT OF PUBLIC WORKS BY THE SELECTMEN OF THE TOWN OF BILLERICA. *Chap.421*

Be it enacted, etc., as follows:

Notwithstanding any other provision of law the board of selectmen of the town of Billerica is hereby authorized to appoint, and fix the compensation of, a superintendent of public works, who shall administer, under the supervision and direction of the selectmen, such departments of the town under their control as they may designate. He shall hold office subject to the will of the selectmen. He shall be an engineer specially fitted by education, training and experience to perform the duties of said office and may or may

not be a resident of the town. During his tenure he shall hold no elective or other appointive office, nor shall he be engaged in any other business or occupation. He shall give bond for the faithful performance of his duties, in such sum and with such surety or sureties as the selectmen may require, and shall, subject to the approval of the selectmen, appoint such assistants, agents and employees as the performance of the duties of such departments may require. He shall keep full and complete records of the doings of his office and render to the selectmen as often as they may require a full report of all operations under his control during the period reported upon; and annually, or from time to time as required by the selectmen, he shall make a synopsis of all such reports for publication. He shall keep the selectmen fully advised as to the needs of the town within the scope of his duties and shall furnish to the selectmen, on or before January fifth in each year, a carefully prepared and detailed estimate in writing of the appropriations required during the ensuing fiscal year for the proper conduct of all departments of the town under his supervision.

Approved May 13, 1954.

Chap.422 AN ACT AUTHORIZING THE TOWN OF BILLERICA TO TRANSFER A CERTAIN SUM OF MONEY FROM THE WATER MAIN ACCOUNT TO THE FILTER AND PUMPING STATION ACCOUNT.

Be it enacted, etc., as follows:

The town of Billerica is hereby authorized to transfer a sum not exceeding sixty thousand dollars from the appropriation of two hundred and fifty thousand dollars voted under Article 16 in the annual town meeting held March fourteenth, nineteen hundred and fifty-three, for water mains of more than sixteen inches in diameter which was financed by the issuance of a loan for twenty-five years, to the appropriation voted for filter and pumping station which was financed by a loan for twenty years.

Approved May 13, 1954.

Chap.423 AN ACT PERMITTING JAMES PAUL DALLAS TO BECOME A MEMBER OF THE STATE-BOSTON RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good and in consideration of his long and meritorious service as a teacher in the public schools of the city of Boston, James Paul Dallas may, any provision of general or special law to the contrary notwithstanding, become a member of the State-Boston retirement system by filing with the Boston retirement board, within and not later than sixty days from the effective date of this act, an application on a prescribed form for membership in the State-Boston retirement system; but

he shall not be entitled to full credit for service rendered prior to the date of his becoming such member unless, within six months from the effective date of this act or such further time, in the event of obvious hardship, as the Boston retirement board may in its discretion allow, he shall have paid into the annuity savings fund of the State-Boston retirement system, in one sum, or in installments upon such terms and conditions as said retirement board may prescribe, make-up payments of a sum equal to the difference between the contributions he has made to the Boston retirement system since January first, nineteen hundred and forty-seven, and the contributions he would have made had he joined the State-Boston retirement system on that date, together with regular interest thereon. Upon the completion of such make-up payments he shall be entitled to all creditable service to which he would have been entitled had he joined the State-Boston retirement system when first eligible to become a member.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council of the city of Boston, with the approval of its mayor, but not otherwise.

Approved May 13, 1954.

AN ACT PROVIDING FOR THE RECOGNITION OF CERTAIN SERVICE RENDERED BY DENTISTS AND DENTAL HYGIENISTS IN THE CITY OF BOSTON AS CREDITABLE SERVICE UNDER CERTAIN RETIREMENT SYSTEMS.

Chap. 424

Be it enacted, etc., as follows:

SECTION 1. Any dentist or dental hygienist in the health department of the city of Boston who, on the effective date of this act, is a member of the Boston retirement system or of the State-Boston retirement system, and who, at any time between February first, nineteen hundred and twenty-three, and the effective date of chapter three hundred and twenty-six of the acts of nineteen hundred and forty-three, rendered service in a position made subject to the civil service laws and rules by said chapter three hundred and twenty-six for which he was paid by the Forsyth Dental Infirmary for Children may, within three years from the effective date of this act or such further time, in the event of obvious hardship, as the Boston retirement board may in its discretion allow, pay into the annuity savings fund of the retirement system of which he is a member, in one sum, or in instalments upon such terms and conditions as said retirement board may prescribe, make-up payments in a sum equal to the amounts which, under the Boston retirement act, would have been withheld from his compensation for services so rendered during said period had he been recognized by the Boston retirement board as an employee of the city of Boston and a member of the Boston retirement system, together with regular interest thereon. Upon the com-

pletion of such make-up payments, such member shall receive the same credit for services so rendered as would have been allowed had such services been recognized by the Boston retirement board as rendered by an employee of the city of Boston. In the event any retirement allowance becomes effective prior to the completion of such make-up payments, such member shall, in addition to credit for his actual membership service, be entitled to credit for that proportion of service rendered by him as aforesaid which the total amount of his make-up payments actually made, together with regular interest thereon to the date his retirement allowance becomes effective, bears to the total amount of what his make-up payments, together with regular interest thereon to such latter date, would have been had he made payment thereof in one sum on such latter date.

SECTION 2. Any provision of law to the contrary notwithstanding, any person who does not come within the terms of section one of this act solely because of separation from the service by reason of having attained age seventy since July first, nineteen hundred and fifty-three, but who, if this act had taken effect on said July first, would have come within the terms of said section, shall, if within three months after the effective date of this act he deposits in the annuity savings fund of whichever of the retirement systems specified in section one he was a member on said July first the make-up payments required by section one and, in addition, the amount paid to him from such fund when he became separated from the service, be reinstated as a member of such retirement system and as a dentist or dental hygienist in the health department of the city of Boston for the sole purpose of being retired. Upon such reinstatement, he shall forthwith, but effective as of the last day of the month in which he attained age seventy, be retired under the provisions of law in effect for such system on the day he attained age seventy; provided, that section one of this act shall be deemed to have been one of such provisions.

SECTION 3. This act shall take full effect upon its acceptance during the current year by vote of the city council of the city of Boston, with the approval of its mayor, but not otherwise.

Approved May 13, 1954.

Chap. 425 AN ACT INCREASING THE MEMBERSHIP OF THE MASSACHUSETTS HIGHWAY SAFETY COMMITTEE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 90A, § 1, etc., amended.

Membership of
Massachusetts
Highway
Safety
Committee.

Chapter 90A of the General Laws is hereby amended by striking out section 1, as appearing in section 1 of chapter 570 of the acts of 1953, and inserting in place thereof the following section: — *Section 1.* There shall be in the executive department a committee to be known as the Massachusetts Highway Safety Committee, hereinafter referred to as the committee. The committee shall consist of the registrar of motor vehicles as permanent chairman, the

attorney general, the commissioner of insurance, the commissioner of public works, the commissioner of public safety, the commissioner of education, the chairman of the youth service board, the chairman of the metropolitan district commission, the commissioner of mental health, and five members to be appointed by the governor, one of whom shall be a representative of a safety organization and two of whom shall be representatives of labor organizations representing chauffeurs, truck drivers, bus operators, or others employed in the operation of motor vehicles. The governor shall be honorary chairman of the committee. The members appointed by the governor shall serve for a term of three years. The members of the committee shall receive no compensation for service on the committee. The committee shall have no power or authority except as specifically provided by law.

Approved May 13, 1954.

AN ACT AUTHORIZING THE TOWN OF NEEDHAM TO USE CERTAIN PARK LAND FOR SCHOOL PURPOSES. Chap.426

Be it enacted, etc., as follows:

The town of Needham is hereby authorized to use for school purposes the whole or such portion of certain park land located in said town, bounded westerly by land now or formerly of Ernest Riley, northerly by the south bound of Spruce street and an extension of said bound to the Ernest Riley land, easterly by Linden street and southerly by the present High Rock School land, as the town, by vote at an annual or special town meeting held within three years after the passage of this act, shall determine; and after such vote such land shall be under the same care and control as other school property.

Approved May 13, 1954.

AN ACT AUTHORIZING THE CITY OF LYNN TO PAY A SUM OF MONEY TO HELEN E. CONNOLLY. Chap.427

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, and in consideration of the long and efficient service of Thomas Frank Connolly as a member of the police department of the city of Lynn, said city may appropriate and pay to Helen E. Connolly, widow of said Thomas Frank Connolly, so long as she shall remain unmarried, a payment not to exceed fifteen hundred dollars per year the same to be paid in equal monthly instalments for the rest of her life.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter.

Approved May 13, 1954.

Chap.428 AN ACT RELATIVE TO ELIGIBILITY OF MEMBERS OF HOUSING AUTHORITIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 121, § 26L, etc., amended.

Membership of housing authorities, restricted.

G. L. (Ter. Ed.), 121, § 26M, etc., amended.

Residence restriction.

Exception.

Inapplicable to Boston.

SECTION 1. The first paragraph of section 26L of chapter 121 of the General Laws, as appearing in section 1 of chapter 574 of the acts of 1946, is hereby amended by inserting after the second sentence the following sentence: — Membership in a housing authority shall be restricted to residents of the city or town.

SECTION 2. Section 26M of said chapter 121, as inserted by said section 1 of said chapter 574, is hereby amended by adding at the end the following: — A member who ceases to be a resident of the city or town shall be removed upon the date of his change of residence by operation of law.

SECTION 3. Notwithstanding the provisions of this act a member of a city housing authority, who, on the effective date of this act, is not a resident of said city, may, with the approval of the appointing authority, continue to serve as such until the completion of his term.

SECTION 4. The provisions of section three of this act shall not apply to the city of Boston. *Approved May 13, 1954.*

Chap.429 AN ACT PROVIDING THAT AN EMPLOYEE IN THE BUREAU OF ACCOUNTS BE DESIGNATED TO PERFORM THE DUTIES OF THE DIRECTOR OF SAID BUREAU UNDER CERTAIN CONDITIONS.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for uninterrupted service in the bureau of accounts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 14, § 1, etc., amended.

Acting director of accounts.

Section 1 of chapter 14 of the General Laws, as appearing in section 1 of chapter 654 of the acts of 1953, is hereby amended by adding at the end the following sentence: — The commissioner may designate a competent employee in the bureau of accounts to perform the duties of the director of accounts in case of his absence, death or disability; and notes of counties, towns and districts, when certified by such employee, shall have the same validity as if certified by the director. *Approved May 17, 1954.*

Chap.430 AN ACT AUTHORIZING AND DIRECTING THE DIRECTOR OF CIVIL DEFENSE TO APPROVE THE PAYMENT OF OVERTIME PAY TO CERTAIN POLICEMEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any other provision of law to the contrary, the director of civil defense is hereby authorized and directed to approve overtime pay rather

than time off, for all regular city and town police who performed overtime duties during the tornado emergency period in the cities and towns affected by the tornado in Worcester county on June ninth, nineteen hundred and fifty-three, and to approve reimbursement to cities and towns for such payments out of the five million dollars emergency tornado funds appropriated by the general court to assist cities and towns affected thereby.

SECTION 2. This act shall take effect upon its passage.

Approved May 17, 1954.

AN ACT PERMITTING THE COVERAGE OF EMPLOYEES OF INSTRUMENTALITIES OF THE COMMONWEALTH OF MASSACHUSETTS UNDER THE EMPLOYMENT SECURITY LAW. Chap. 431

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the immediate coverage under the employment security law of employees of certain instrumentalities of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Subsection (f) of section 6 of chapter 151A of the General Laws, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by adding after the word "thereof", in line 11, the following:—; provided, however, that the term "employment" shall include services performed by an individual for an instrumentality of the commonwealth whenever such instrumentality has been authorized to become liable for payments instead of contributions, and has otherwise complied with the provisions of subsection (o) of section fourteen.

G. L. (Ter.
Ed.), 151A, § 6,
etc., amended.

Coverage under
employment
security law,
extended.

SECTION 2. Section 14 of said chapter 151A, as most recently amended by chapter 397 of the acts of 1953, is hereby further amended by adding at the end the following subsection:—

G. L. (Ter.
Ed.), 151A,
§ 14, etc.,
amended.

(o) Any instrumentality of the commonwealth having been authorized to insure any of its workers shall become liable for payments in lieu of contributions under this section by filing with the director notice of authorization and request for coverage. Such notice shall clearly specify the classes of employees to be included in such coverage.

Coverage of
certain state
employees,
regulated.

Effective the first day of the week immediately following such notice, services performed for such an instrumentality shall, for the purpose of insuring its present and former employees, be deemed to have been employment subject to this chapter, and wages paid for such services shall be used in the computation of benefits.

Such instrumentality shall be liable for payments in lieu of contributions required of employers liable for contribution under this chapter, and shall pay into the fund an amount

equivalent to the amount of benefits and dependency allowances paid to claimants who during the applicable base period were paid wages by such instrumentality which were used to compute such benefits. The amount of payments required under this subsection shall be ascertained as soon as practicable at the end of each month or quarter, and request for payment shall be made to the instrumentality.

In addition to said payments in lieu of contributions the instrumentality shall also be liable for the payment of the administrative costs of the payment of such benefits. The director shall as soon as practicable at the end of each quarter ascertain such costs and shall submit a statement setting forth the amount of such administrative costs to the instrumentality against whom benefit charges were made.

If an instrumentality shall fail to make any of the payments required by this subsection within thirty days after the submission of a statement setting forth the amount of such payment by the director, no further benefit payments shall be made by the director until the overdue payments in lieu of contributions have been made to the division by the instrumentality.

G. L. (Ter. Ed.), 151A, § 28, etc., amended.

Computation of benefits, regulated.

SECTION 3. Section 28 of said chapter 151A, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by adding at the end the following paragraph: —

Wages earned for services performed by an employee of an instrumentality of the commonwealth which has become liable for payments in lieu of contributions under subsection (o) of section fourteen shall not be included in the computation of benefits under this chapter when said employee has been retired from active service and is receiving severance or separation pay, or a retirement allowance or pension, if said retirement allowance or pension was financed totally or in part by said instrumentality; provided, however, that old age and survivors insurance benefits under the federal social security act shall not be considered as such a pension.

Approved May 17, 1954.

Chap. 432 AN ACT RELATIVE TO CERTAIN POWERS OF THE MYSTIC RIVER BRIDGE AUTHORITY.

Be it enacted, etc., as follows:

Section 5 of chapter 562 of the acts of 1946 is hereby amended by striking out clause (d) and inserting in place thereof the following clause: —

(d) To adopt by-laws and to fix penalties for the regulation of its affairs and the conduct of its business; provided, however, that no penalty shall be in excess of fifty dollars.

Approved May 17, 1954.

AN ACT AUTHORIZING THE PLACING OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF HINGHAM UNDER THE CIVIL SERVICE LAWS. *Chap.433*

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police of the town of Hingham shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. The incumbent of said office on said effective date shall be subjected to a qualifying examination for said office by the division of civil service. If said incumbent passes said examination he shall be certified for said office and shall be deemed to be permanently appointed thereto without serving any probationary period, and his tenure of office shall be unlimited, subject, however, to the provisions of said laws.

SECTION 2. This act shall take effect upon its acceptance by the town meeting members at an annual or special town meeting held within a year following its enactment.

Approved May 17, 1954.

AN ACT RELATIVE TO THE MEMBERSHIP OF THE LOWELL DEVELOPMENT AND INDUSTRIAL COMMISSION, AND THE TERMS OF THE MEMBERS THEREOF. *Chap.434*

Be it enacted, etc., as follows:

Section 1 of chapter 330 of the acts of 1951, as most recently amended by section 1 of chapter 183 of the acts of 1953, is hereby further amended by inserting after the first sentence the following two sentences:—The commission shall consist of twelve members to be appointed by the city manager for terms of three years. Of the members initially appointed hereunder, four members shall be appointed for terms of three years, four members for terms of two years and four members for terms of one year, and as the terms of office of the members terminate, their successors shall be appointed for terms of three years.

Approved May 17, 1954.

AN ACT FURTHER DEFINING FOR CERTAIN TAX PURPOSES THE TERM "MACHINERY USED IN THE CONDUCT OF THE BUSINESS". *Chap.435*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make effective at once its provisions relative to the taxation of machinery used in the conduct of the business of certain corporations, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Emergency
preamble.*

Be it enacted, etc., as follows:

SECTION 1. Clause Sixteenth of section 5 of chapter 59 of the General Laws is hereby amended by inserting after

G. L. (Ter
Ed.), 59, § 5,
etc., amended.

Tax
exemption.

the word "trade", in line 31, as appearing in section 1 of chapter 232 of the acts of 1952, the words: — or any personal property directly used in the refrigeration of goods or in the air-conditioning of premises or in any purchasing, selling, accounting or administrative function.

Effective
date.

SECTION 2. This act shall take effect as of January first, nineteen hundred and fifty-four. *Approved May 17, 1954.*

Chap.436 AN ACT RELATIVE TO THE TAXATION OF BONDS OF UNIVERSITY OF MASSACHUSETTS BUILDING ASSOCIATION.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available at once the exemptions granted therein, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 63, § 12,
etc., amended.

Section 12 of chapter 63 of the General Laws is hereby amended by inserting after paragraph (l), inserted by chapter 354 of the acts of 1954, the following paragraph: —

(m) Bonds issued by the University of Massachusetts Building Association. *Approved May 18, 1954.*

Chap.437 AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO GRANT TO THE TOWN OF LEE RIGHTS IN THE OCTOBER MOUNTAIN STATE FOREST IN THE TOWNS OF WASHINGTON AND LEE.

Be it enacted, etc., as follows:

SECTION 1. The department of natural resources is hereby authorized to grant to the town of Lee the right to use the waters of Finerty pond and Washington Mountain brook in the towns of Washington and Lee. Said department is further authorized to permit the erection of a dam or dams at said pond and on said brook as may be necessary for the establishment and maintenance of an effective water supply.

The department of natural resources is hereby authorized to make rules and regulations relative to the use of lands and waters used for said purposes, which rules and regulations shall be consistent with the rules of the state department of public health concerning water supplies; provided, that nothing herein shall be deemed to prevent the department of natural resources from conducting proper forest management practices upon the watershed of these waters or to prohibit hunting and fishing and other recreation use of such land and waters.

SECTION 2. This act shall take effect upon its passage. *Approved May 18, 1954.*

AN ACT RELATIVE TO THE USE OF THE NAME OF FUNERAL DIRECTORS IN CONNECTION WITH DEATH CERTIFICATES OR BURIAL PERMITS. Chap.438

Be it enacted, etc., as follows:

Chapter 114 of the General Laws is hereby amended by inserting after section 45 the following section: — *Section 45A*. No funeral director, whether doing business as an individual, partnership or corporation, shall permit his name to be used in connection with any death certificate or burial permit unless he was specifically engaged to perform the burial to which such permit or certificate relates.

G. L. (Ter. Ed.), 114, new § 45A, added.
Use of name by funeral directors, regulated.

Any violation of this section shall be punished by a fine of fifty dollars.

Penalty.

Approved May 18, 1954.

AN ACT RELATIVE TO SUITS IN EQUITY FOR SPECIFIC PERFORMANCE. Chap.439

Be it enacted, etc., as follows:

SECTION 1. Chapter 214 of the General Laws is hereby amended by inserting after section 1 the following section: — *Section 1A*. The fact that the plaintiff has a remedy at law for damages shall not bar a suit in equity for specific performance of a contract, other than one for purely personal services, if the court finds that no other existing remedy, or the damages recoverable thereby, is in fact the equivalent of the performance promised by the contract relied on by the plaintiff, and the court may order specific performance if it finds such remedy to be practicable. If performance is not decreed, damages may be determined in the proceeding, and if the defendant claims a jury on that issue, the issue shall be framed and referred for jury trial.

G. L. (Ter. Ed.), 214, new § 1A, added.
Suits in equity for specific performance, regulated.

SECTION 2. Section 2 of said chapter 214, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 3 and 4, the words "the preceding section" and inserting in place thereof the words: — section one, — so as to read as follows: — *Section 2*. The supreme judicial court shall have original and exclusive jurisdiction in equity of all cases and matters of equity cognizable under any statute and not within the jurisdiction conferred by section one, unless a different provision is made; and the superior court shall have like original and exclusive, or like original and concurrent, jurisdiction only if the statute so provides.

G. L. (Ter. Ed.), 214, § 2, amended.

Statutory equity jurisdiction.

SECTION 3. This act shall take effect on September first of the current year.

Effective date.

Approved May 18, 1954.

Chap.440 AN ACT REQUIRING THE MAINTENANCE OF CERTAIN RECORDS BY CARRIERS OF PROPERTY ENGAGING LEASED VEHICLES AND IMPOSING A CHARGE FOR CERTAIN DISTINGUISHING PLATES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 159B, 10B, etc., amended.

Certain carriers to keep records of leased vehicles.

Chapter 159B of the General Laws is hereby amended by striking out section 10B, inserted by section 3 of chapter 376 of the acts of 1946, and inserting in place thereof the following section:—*Section 10B.* The department may issue distinguishing plates to motor carriers and interstate licensees to be used only on motor vehicles temporarily leased by such carriers. Any plates so issued may be transferred from one such vehicle to another such vehicle leased by a carrier to whom such plate was originally issued. The department shall keep a record of plates issued to each carrier for use on leased vehicles. The motor carrier or interstate licensee shall keep a record of the use of such plates, setting forth the names and addresses of the lessors and the drivers, engine and serial numbers of the vehicles used, duration of the lease, the identifying numbers of the plates and the date each such plate was placed on any leased vehicle and the date such plate was removed therefrom. A copy of the lease shall be carried on each vehicle under temporary lease engaged in interstate operations within the commonwealth. The department may make such rules and regulations relative to the issuance and use of such plates as it deems necessary and proper, and for just cause may revoke, recall, or prohibit the use of any plate issued under this section. Failure to keep full and complete records under this section shall be cause for such revocation. An annual charge for each plate issued under this section shall be five dollars and shall apply to all such applications notwithstanding the provisions of section ten.

Approved May 18, 1954.

Fee for certain distinguishing plates.

Chap.441 AN ACT INCREASING THE SALARY OF THE DISTRICT ATTORNEY FOR THE EASTERN DISTRICT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 12, § 15, etc., amended.

Salary.

Section 15 of chapter 12 of the General Laws, as most recently amended by section 1 of chapter 804 of the acts of 1951, is hereby further amended by striking out, in lines 8 and 9, the words "For the eastern district, eight thousand two hundred dollars." and inserting in place thereof the words:—For the eastern district, nine thousand two hundred dollars.

Approved May 18, 1954.

AN ACT RELATIVE TO THE ADMISSIBILITY IN EVIDENCE IN CRIMINAL PROCEEDINGS OF ENTRIES IN THE COURSE OF BUSINESS. Chap. 442

Be it enacted, etc., as follows:

SECTION 1. Chapter 233 of the General Laws is hereby amended by striking out section 78, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 78.* An entry in an account kept in a book or by a card system or by any other system of keeping accounts, or a writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of any act, transaction, occurrence or event, shall not be inadmissible in any civil or criminal proceeding as evidence of the facts therein stated because it is transcribed or because it is hearsay or self-serving, if the court finds that the entry, writing or record was made in good faith in the regular course of business and before the beginning of the civil or criminal proceeding aforesaid and that it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence or event or within a reasonable time thereafter. For the purposes hereof, the word “business”, in addition to its ordinary meaning, shall include profession, occupation and calling of every kind. The court, in its discretion, before admitting such entry, writing or record in evidence, may, to such extent as it deems practicable or desirable, but to no greater extent than the law required before April eleventh, nineteen hundred and thirteen, require the party offering the same to produce and offer in evidence the original entry, writing, document or account or any other from which the entry, writing or record offered or the facts therein stated were transcribed or taken, and to call as his witness any person who made the entry, writing or record offered or the original or any other entry, writing, document or account from which the entry, writing or record offered or the facts therein stated were transcribed or taken, or who has personal knowledge of the facts stated in the entry, writing or record offered. When any such entry, writing or record is admitted, all other circumstances of the making thereof, including lack of personal knowledge by the entrant or maker, may be shown to affect its weight and when such entry, writing or record is admitted in a criminal proceeding all questions of fact which must be determined by the court as the basis for the admissibility of the evidence involved shall be submitted to the jury, if a jury trial is had for its final determination.

G. L. (Ter. Ed.), 233, § 78. amended.

Entries in the course of business, admissibility as evidence.

SECTION 2. This act shall take effect on September first of the current year.

Effective date.

Approved May 18, 1954.

Chap.443 AN ACT EXEMPTING FROM TAXATION THE INCOME OF TRUSTS
FOR CHARITABLE PURPOSES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 62, § 8.
etc., amended.

Section 8 of chapter 62 of the General Laws is hereby amended by adding after paragraph (j), added by section 2 of chapter 485 of the acts of 1947, the following paragraph: —

Income of
certain chari-
table trusts,
exempted from
taxation.

(k) All income from property held in trust which pursuant to the terms of the will, deed or other instrument creating the trust is currently payable or irrevocably set aside for public charitable purposes, or to or for the benefit of any organization or organizations established and operated exclusively for charitable purposes: provided the trustees shall, by the fifteenth day of the fourth month next succeeding the close of the calendar or fiscal year during which such income was received, have filed with the commissioner a return, in form prescribed by him, claiming such exemption.

Approved May 18, 1954.

Chap.444 AN ACT RELATIVE TO THE FORM OF CERTAIN TAX BILLS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 59, § 54,
amended.

SECTION 1. Chapter 59 of the General Laws is hereby amended by striking out section 54, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 54.* The tax list committed to the collector shall be in a form approved by the commissioner and shall contain such data appearing on the assessors' valuation list as may be required for the purposes of sections three and three A of chapter sixty.

Form of
tax list.

G. L. (Ter.
Ed.), 60, § 3,
etc., amended.

SECTION 2. Section 3 of chapter 60 of the General Laws, as most recently amended by section 2 of chapter 166 of the acts of 1943, is hereby further amended by inserting after the first sentence the following sentence: — If the tax is a tax on real estate, the collector shall send a separate bill or notice for the portion of the tax applicable to each parcel of real estate separately assessed.

Separate bills,
when required.

G. L. (Ter.
Ed.), 60, § 3A,
etc., amended.

SECTION 3. Said chapter 60 is hereby further amended by striking out section 3A, as most recently amended by section 2 of chapter 578 of the acts of 1952, and inserting in place thereof the following section: — *Section 3A.* Every tax bill or notice shall be in a form approved by the commissioner and shall state that applications for abatement or exemption, on forms so approved, must be filed with the assessors, in case of original assessments, on or before October first of the year to which the tax relates or, if the tax is other than a poll tax and the bill or notice is first sent after September first of such year, on or before the thirtieth day after the date on which the bill or notice is so sent or, in case of an assessment under section seventy-five or section seventy-six of chapter fifty-nine or a reassessment under section seventy-seven of said chapter, within three months

Form of
certain
tax bills,
regulated.

after the sending of the bill or notice. Every tax bill or notice shall also contain a statement indicating the provisions of law governing interest on the tax to which the bill or notice relates. Every bill or notice for a real or personal property tax shall have printed thereon in a conspicuous place the school tax rate, the general tax rate, and the total tax rate of the town, as determined by the assessors. In addition, every bill or notice for a tax upon real estate shall, by street and number, or, if no street number has been assigned, by lot number or by name of estate or otherwise, describe in a manner sufficient to identify it each parcel of real estate separately assessed and shall state for each such parcel the assessed valuation of the land, the aggregate assessed valuation of the buildings and other things erected thereon or affixed thereto, and the total assessed valuation of the parcel; provided, however, that if there are three or more buildings or structures on any such parcel, a bill or notice for a tax on such parcel shall also state, or be accompanied by a paper stating, the assessed valuation of each building or structure on such parcel.

SECTION 4. Chapter five hundred and sixty-four of the acts of nineteen hundred and forty-three is hereby repealed.

SECTION 5. This act shall apply to taxes assessed in the year nineteen hundred and fifty-five and thereafter.

Effective date.

Approved May 18, 1954.

AN ACT RECLASSIFYING CERTAIN EMPLOYEES UNDER THE STATE RETIREMENT SYSTEM.

Chap. 445

Be it enacted, etc., as follows:

SECTION 1. Paragraph (g) of subdivision (2) of section 3 of chapter 32 of the General Laws is hereby amended by striking out the definition of *Group B*, as most recently amended by chapter 157 of the acts of 1952, and inserting in place thereof the following:—

G. L. (Ter. Ed.), 32, § 3, etc., amended.

Group B.—Members of police and fire departments not classified in *Group A*, members of the police force of the metropolitan district commission, capitol police, public works building police, permanent watershed guards and permanent park police, employees of the Port of Boston Commission comprising guards, guard sergeants, head guard and chief of waterfront police, conservation officers paid as such, district fire wardens, coastal wardens in the department of natural resources, officials and employees of the registry of motor vehicles having police powers, employees of the General Edward Lawrence Logan International Airport, comprising permanent crash crewmen, fire control man, assistant fire control men, and employees of the commonwealth and of any county, regardless of any official classification, whose regular and major duties require them to have the care, custody, instruction or other supervision of prisoners or insane persons or of defective delinquents; provided, that no

Certain employees under the state retirement system, reclassified.

member who attains age sixty-five while classified in *Group A* may thereafter be classified in *Group B*, irrespective of change of employment.

Effective
date.

SECTION 2. This act shall take effect on January first, nineteen hundred and fifty-five. *Approved May 18, 1954.*

Chap.446 AN ACT REQUIRING THE OPERATOR OF A MOTOR VEHICLE INVOLVED IN AN ACCIDENT TO EXHIBIT HIS OPERATOR'S LICENSE.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 90, § 11,
etc., amended.

Section 11 of chapter 90 of the General Laws, as amended by section 2 of chapter 377 of the acts of 1952, is hereby further amended by adding at the end the following sentence: — Any operator who knowingly collides with or otherwise causes injury to any person or to any other vehicle or property shall plainly exhibit his license at the scene of the accident upon request of the person injured or the person owning or in charge of the property damaged.

Showing of
operator's
license, when
required.

Approved May 18, 1954.

Chap.447 AN ACT PROVIDING CERTAIN PENALTIES FOR VIOLATIONS OF THE LAW ESTABLISHING MINIMUM HOUSING STANDARDS AND RULES AND REGULATIONS RELATIVE THERETO.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make effective without delay certain penalties for violations of the law establishing minimum standards and rules and regulations on housing as they affect public health and safety, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 111,
§ 128D, etc.,
amended.

SECTION 1. Section 128D of chapter 111 of the General Laws, inserted by section 2 of chapter 209 of the acts of the current year, is hereby amended by striking out the last sentence.

G. L. (Ter.
Ed.), 111, new
§ 128F, added.

SECTION 2. Said chapter 111 is hereby further amended by inserting after section 128E, as so inserted, the following section: — *Section 128F.* Any person who wilfully impedes or obstructs the examination by a board of health under section one hundred and twenty-eight B or who knowingly violates any regulation adopted under the provisions of section one hundred and twenty-eight C or who knowingly violates any provision of section one hundred and twenty-eight D shall be punished by a fine of not less than ten nor more than fifty dollars for each day of violation.

Penalty.

Approved May 19, 1954.

AN ACT DESIGNATING THE NEW AUDITORIUM-ADMINISTRATION BUILDING AT THE LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS AS CUMNOCK HALL. *Chap.448*

Be it enacted, etc., as follows:

SECTION 1. The new auditorium-administration building at the Lowell Technological Institute of Massachusetts shall be known and designated as Cumnock Hall as a tribute to Alexander Goodlet Cumnock, first president of the board of trustees of said institute, in recognition of his outstanding foresight, wisdom, leadership and service. The board of trustees of said institute shall cause a suitable tablet bearing said designation and commemorating said service to be placed in said building, and shall also cause the name of said building to be inscribed on the outside thereof in such manner and form as said board shall determine, the provisions of any other law to the contrary notwithstanding.

SECTION 2. This act shall take effect upon its passage.

Approved May 19, 1954.

AN ACT PROVIDING CONTINUOUS SERVICE OF THE NEW BEDFORD, WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY. *Chap.449*

Be it enacted, etc., as follows:

Chapter 544 of the acts of 1948 is hereby amended by inserting after section 14 the following section: — *Section 14A.* If transportation of passengers on the steamship line of the Authority is interrupted by reason of any group of employees calling a strike or going out on strike, or causing any such stoppage or slow down, or by reason of any other labor dispute, the provisions of chapter one hundred and fifty B of the General Laws shall apply, in so far as they are applicable.

Approved May 19, 1954.

AN ACT RELATIVE TO THE SENIORITY RIGHTS OF ANTHONY V. PALMIERI. *Chap.450*

Be it enacted, etc., as follows:

Notwithstanding any other provision of law, January first, nineteen hundred and forty-nine shall be the date established to determine seniority rights under the civil service laws of Anthony V. Palmieri, an employee of the state department of public works.

Approved May 19, 1954.

AN ACT PROVIDING FOR NON-PARTISAN PRELIMINARY ELECTIONS IN THE TOWN OF NATICK, AND REGULATING THE CONTENTS OF BALLOTS USED AT ELECTIONS IN SAID TOWN. *Chap.451*

Be it enacted, etc., as follows:

SECTION 1. Any person who is qualified to vote in the town of Natick may be a candidate for an elective town

office therein and shall be entitled to have his name as such candidate printed on the official ballot to be used at a preliminary election; provided, that he shall file nomination papers provided by the town clerk containing twenty-five signatures certified as voters of the town.

SECTION 2. The preliminary election shall be held twenty-eight days preceding every regular or special town election.

SECTION 3. No primary or caucus for the nomination of town officers shall be held. No ballot used at any preliminary, regular or special election in said town shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such political designation or mark.

SECTION 4. Nomination papers must be filed with the town clerk not later than five o'clock in the afternoon of the twenty-first day preceding the preliminary election. Every nomination paper shall be submitted to the registrars of voters for certification of the names thereon on or before five o'clock in the afternoon of the seventh day preceding the day on which it must be filed with the clerk.

SECTION 5. The election officers shall, immediately upon the closing of the polls at the preliminary election, count the ballots and ascertain the number of votes cast in the several voting places for each candidate, and forthwith make return thereof upon blanks to be furnished, as in regular elections, to the town clerk who shall canvass said returns and shall forthwith determine the result thereof, and post the same in five conspicuous places in the town.

SECTION 6. The two persons receiving at a preliminary election the highest number of votes for nomination for an office shall be the sole candidates for that office whose names may be printed on the official ballot to be used at the regular or special election at which such office is to be filled, and no acceptance of a nomination at a preliminary election shall be necessary to its validity.

If two or more persons are to be elected to the same office at such regular or special election the several persons in number equal to twice the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office shall be the sole candidates for that office whose names may be printed on the official ballot.

If the preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes, which, but for said tie vote, would entitle a person receiving the same to have his name printed upon the official ballot for the election, all candidates participating in said tie vote shall have their names printed upon the official ballot, although in consequence there be printed thereon names of candidates to a number exceeding twice the number to be elected.

SECTION 7. If at the expiration of the time for filing nomination papers of candidates to be voted for at any pre-

liminary election not more than twice as many such papers have been filed with the town clerk for an office as there are persons to be elected to such office, the candidates whose nomination papers have thus been filed shall be deemed to have been nominated to said office, and their names shall be voted on for such office at the succeeding regular or special election, as the case may be, and the town clerk shall not print said names upon the ballot to be used at said preliminary election and no other nomination to said office shall be made. If in consequence it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in the town, no preliminary election shall be held.

SECTION 8. Except as otherwise provided in this act, the laws of the commonwealth governing town elections, special elections of town officers and special elections in towns shall, so far as applicable, govern such elections in the town of Natick.

SECTION 9. This act shall be submitted to the voters of the town of Natick at the biennial state election to be held in the year nineteen hundred and fifty-four, in the form of the following question, which shall be printed on the official ballot used in said town:— "Shall an act passed by the general court in the year nineteen hundred and fifty-four entitled 'An Act providing for non-partisan preliminary elections in the town of Natick, and regulating the contents of ballots used at elections in said town', be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, this act shall thereupon take full effect, but not otherwise.

YES.	
NO.	

Approved May 19, 1954.

AN ACT PROVIDING FOR THE CONSTRUCTION OF ADDITIONAL SEWERS IN THE NORTH METROPOLITAN SEWERAGE DISTRICT. *Chap. 452*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide, with the utmost expedition, for sewage disposal needs in the north metropolitan sewerage district, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, hereinafter called the commission, is hereby authorized and directed to construct a main sewer or sewers, with sewer connections and other works, in the cities of Everett and Malden from a point on the north metropolitan relief sewer in Everett to a point on the north metropolitan sewer near Jackson street, Malden, as the commission may deem best. The location of such main sewer or sewers shall be subject to the approval of the department of public health.

SECTION 2. For the purpose of constructing and maintaining such additional main sewer or sewers, the commission, acting on behalf of the commonwealth, shall have and exercise all the authority conferred upon it by chapter ninety-two of the General Laws.

SECTION 3. To meet the expenditures necessary in carrying out the provisions of section one, the state treasurer shall, from time to time on request of the commission and subject to the approval of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount not exceeding seven hundred and fifty thousand dollars, in addition to the amount of such bonds heretofore authorized for the construction of the north metropolitan sewerage system. Such bonds shall be designated on the face: Metropolitan District Sewerage Loan, North System, Act of 1954, shall be on the serial payment plan, and shall be issued for such maximum term of years not exceeding thirty years from the date of issue as may be recommended by the governor in accordance with section 3 of Article LXII of the Amendments to the constitution of the commonwealth, and shall bear interest at such rate as shall be fixed by the state treasurer, with the approval of the governor.

SECTION 4. The interest and serial bond requirements on account of the moneys expended in constructing that part of the north metropolitan sewerage system provided for under this act and such other expenses as may be authorized hereunder shall be deemed to be, and shall be paid as, a part of the interest, sinking fund or serial bond requirements and costs, and shall be apportioned, assessed and collected in the manner provided by the provisions of said chapter ninety-two relative to such system.

Approved May 20, 1954.

Chap. 453 AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND FIFTY-FIVE, FOR THE MAINTENANCE OF DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS, AND FOR CERTAIN PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions specified in said section two, are hereby appropriated from the funds designated in said section, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year

ending June thirtieth, nineteen hundred and fifty-five, in this act referred to as the year nineteen hundred and fifty-five, or for such period as may be specified.

SECTION 2.

STATE PURPOSES APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Legislature.

Senate.

Item		
0101-01	For the compensation of senators, prior appropriation continued	\$191,250 00
0101-02	For the salary of the clerk of the senate	10,480 00
0101-03	For the salary of the assistant clerk of the senate	7,980 00
0101-04	For clerical assistance to the clerk of the senate, including not more than two permanent positions	10,180 00
0101-05	For the salary of the chaplain of the senate	1,980 00
0101-06	For personal services of the counsel to the senate and assistants, including not more than four permanent positions; provided, that notwithstanding any provisions of law to the contrary, the present counsel to the senate may continue to serve in said office subject to the will of the senate	33,480 00
0101-07	For clerical and other assistance to the senate committee on rules, including not more than seven permanent positions; provided, that notwithstanding any provision of law to the contrary, the present clerk of the senate committee on rules may continue to serve in said office subject to the will of the senate	28,860 00
0101-30	For expenses of senators, including travel, prior appropriation continued	17,000 00
0101-51	For stationery for the senate, purchased by and with the approval of the clerk	600 00
0101-52	For expenses of the committee on rules on the part of the senate	1,000 00
0101-53	For expenses of the counsel to the senate	500 00
0101-54	For expenses of the senate clerk's office	1,400 00
0101-56	For the expenses of the senate committee on ways and means, including not more than one permanent position	8,500 00
0101-60	For traveling and such other expenses of the committees of the senate as may be authorized by order of the senate	1,000 00
Total		<hr/> \$314,210 00

House of Representatives.

0102-01	For the compensation of representatives, prior appropriation continued	\$1,093,500 00
0102-02	For the salary of the clerk of the house of representatives	10,480 00
0102-03	For the salary of the assistant clerk of the house of representatives	7,980 00
0102-04	For clerical assistance to the clerk of the house of representatives, including not more than four permanent positions	18,740 00

Item		
0102-05	For the salary of the chaplain of the house of representatives	\$1,980 00
0102-06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	59,000 00
0102-07	For clerical and other assistance to the house committee on rules, including not more than seven permanent positions	34,380 00
0102-08	For clerical and other assistance to the house committee on ways and means, including not more than four permanent positions, prior appropriation continued	24,140 00
0102-30	For expenses of representatives, including travel, prior appropriation continued	135,000 00
0102-51	For stationery for the house of representatives, purchased by and with the approval of the clerk	1,300 00
0102-52	For expenses of the committee on rules on the part of the house of representatives	2,500 00
0102-53	For expenses of the counsel to the house of representatives	850 00
0102-54	For expenses of the clerk's office, house of representatives	2,100 00
0102-56	For expenses of the house committee on ways and means, prior appropriation continued	5,000 00
0102-60	For traveling and such other expenses of the committees of the house of representatives as may be authorized by order of the house of representatives	1,000 00
	Total	\$1,397,950 00

Sergeant-at-Arms.

0103-01	For the salary of the sergeant-at-arms	\$7,680 00
0103-02	For clerical and other assistance employed by the sergeant-at-arms, including not more than six permanent positions	27,950 00
0103-03	For the salaries of the doorkeepers of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than two permanent positions	13,160 00
0103-04	For the salaries of assistant doorkeepers of the senate and house of representatives and of general court officers, with the approval of the sergeant-at-arms, including not more than thirty-two permanent positions	152,840 00
0103-05	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than twenty-three permanent positions	34,880 00
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	16,440 00
0103-32	For certain flameproofing and mothproofing of furnishings, legislative chambers	2,968 00
0103-51	For contingent expenses of the senate and house of representatives and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, prior appropriation continued	20,000 00

Item		
0103-52	For the payment of witness fees to persons summoned to appear before committees of the general court, and for expenses incidental to summoning them, with the approval of the sergeant-at-arms	\$200 00
	Total	\$276,118 00

Other Expenses.

0110-02	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, prior appropriation continued	\$180,000 00
0110-03	For printing the manual of the general court, with the approval of the clerks of the two branches	15,000 00
0110-04	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including not more than two permanent positions	38,020 00
0110-05	For telephone service	22,000 00
0110-06	For biographical sketches of certain state and federal officials	5,000 00
0110-12	For the emergency services of a physician, for medical supplies in the state house and for expenses including the purchase of equipment in connection therewith, subject to the approval of the joint committee on rules; provided, that section twenty-one of chapter thirty of the General Laws shall not apply to the payments made under this item	4,200 00
0110-30	For traveling and such other expenses of joint committees of the general court as may be authorized by joint order of the general court	8,000 00
	Total	\$272,220 00
	Total, Legislative	\$2,260,498 00

Service of the Judiciary.

Supreme Judicial Court.

0301-01	For the salaries of the chief justice and of the six associate justices	\$130,500 00
0301-02	For traveling allowances and expenses	2,700 00
0301-03	For the salary of the clerk for the commonwealth	10,420 00
0301-04	For clerical assistance to the clerk	3,490 00
0301-05	For law clerks and clerical assistance for the justices	50,830 00
0301-06	For office supplies, services and equipment	6,000 00
0301-07	For the salaries of the officers and messengers	6,190 00
0301-08	For the commonwealth's part of the salary of the clerk for the county of Suffolk	1,500 00
0301-10	For facilities provided by the Social Law Library	3,500 00

Item		
0302-01	For the salary of the reporter of decisions .	\$10,000 00
0302-02	For the service of the reporter of decisions, including not more than four permanent positions	18,475 00
	Total	<hr/> \$243,605 00

Superior Court.

0305-01	For the salaries of the chief justice and of the thirty-one justices	\$513,000 00
0305-02	For traveling allowances and expenses .	27,500 00
0305-03	For the salary of the assistant clerk and the probation officer of Suffolk county .	2,500 00
0305-04	For expenses authorized by section twenty- eight of chapter two hundred and twelve of the General Laws	19,850 00
0305-11	For compensation of justices of district courts while sitting in the superior court, prior appropriation continued	11,000 00
0305-12	For expenses of justices of district courts while sitting in the superior court, prior appropriation continued	1,850 00
	Total	<hr/> \$575,700 00

Judicial Council.

0308-01	For the service of the judicial council .	\$7,000 00
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Administrative Committee of District Courts.

0310-01	For the service of the administrative com- mittee of district courts	\$12,000 00
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Administrative Committee of Probate and Insolvency Courts.

0320-01	For the compensation of judges of probate when acting for other judges of probate .	\$5,000 00
0320-02	For expenses of judges of probate when act- ing for other judges of probate	1,500 00
0320-03	For reimbursing officials for premiums paid for procuring sureties on their bonds, as provided by law	500 00
0320-04	For expenses of the administrative committee of probate courts	500 00
	Total	<hr/> \$7,500 00

Probate and Insolvency Courts.

For the salaries of judges of probate, regis-
ters of probate, assistant registers and
clerical assistance to registers of the sev-
eral counties:

Barnstable:

0321-01	Judge of probate	\$9,500 00
0321-02	Register	6,000 00
0321-03	Assistant register	4,000 00
0321-04	Clerical assistance to register, including not more than three permanent positions .	8,560 00

Item		
	Berkshire:	
0322-01	Judge of probate	\$9,500 00
0322-02	Register	6,500 00
0322-03	Assistant register	4,500 00
0322-04	Clerical assistance to register, including not more than five permanent positions	15,130 00
	Bristol:	
0323-01	Two judges of probate	23,000 00
0323-02	Register	8,000 00
0323-03	Two assistant registers	10,500 00
0323-04	Clerical assistance to register, including not more than thirteen permanent positions	40,370 00
	Dukes:	
0324-01	Judge of probate	4,000 00
0324-02	Register	4,000 00
0324-04	Clerical assistance to register, including not more than one permanent position	2,880 00
	Essex:	
0325-01	Two judges of probate	23,000 00
0325-02	Register	8,500 00
0325-03	Three assistant registers	16,500 00
0325-04	Clerical assistance to register, including not more than sixteen permanent positions	49,410 00
	Franklin:	
0326-01	Judge of probate	9,500 00
0326-02	Register	6,000 00
0326-03	Assistant register	4,000 00
0326-04	Clerical assistance to register, including not more than two permanent positions	6,090 00
	Hampden:	
0327-01	Two judges of probate	23,000 00
0327-02	Register	8,000 00
0327-03	Three assistant registers	15,000 00
0327-04	Clerical assistance to register, including not more than thirteen permanent positions	41,480 00
	Hampshire:	
0328-01	Judge of probate	9,500 00
0328-02	Register	6,000 00
0328-03	Assistant register	4,000 00
0328-04	Clerical assistance to register, including not more than two permanent positions	6,660 00
	Middlesex:	
0329-01	Three judges of probate	40,500 00
0329-02	Register	10,000 00
0329-03	Five assistant registers	29,000 00
0329-04	Clerical assistance to register, including not more than forty permanent positions	128,225 00
	Nantucket:	
0330-01	Judge of probate	4,000 00
0330-02	Register	4,000 00
0330-04	Clerical assistance to register, including not more than one permanent position	2,640 00
	Norfolk:	
0331-01	Two judges of probate	27,000 00
0331-02	Register	8,500 00
0331-03	Three assistant registers	16,500 00
0331-04	Clerical assistance to register, including not more than fifteen permanent posi- tions	46,150 00

Item		
	Plymouth:	
0332-01	Judge of probate	\$9,500 00
0332-02	Register	6,500 00
0332-03	Assistant register	4,500 00
0332-04	Clerical assistance to register, including not more than seven permanent positions	21,710 00
	Suffolk:	
0333-01	Three judges of probate	43,500 00
0333-02	Register	10,000 00
0333-03	Five assistant registers	29,000 00
0333-04	Clerical assistance to register, including not more than forty-eight permanent positions	152,420 00
	Worcester:	
0334-01	Two judges of probate	23,000 00
0334-02	Register	8,500 00
0334-03	Three assistant registers	16,500 00
0334-04	Clerical assistance to register, including not more than fifteen permanent positions	46,740 00
	Total	\$1,081,465 00

Land Court.

0340-01	For the salaries of the judge, associate judges and the recorder, including not more than four permanent positions	\$56,500 00
0340-02	For the service of the land court, including not more than thirty-five permanent positions	210,245 00
	Total	\$266,745 00

Pensions for Certain Retired Justices.

0345-01	For pensions of retired judges, as authorized by law	\$75,000 00
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District Attorneys.

0350-01	For the salaries of the district attorney and assistants for the Suffolk district, including not more than fourteen permanent positions	\$97,700 00
0351-01	For the salaries of the district attorney and assistants for the northern district, including not more than seven permanent positions	46,400 00
0352-01	For the salaries of the district attorney and assistants for the eastern district, including not more than five permanent positions	23,880 00
0354-01	For the salaries of the district attorney and assistants for the southern district, including not more than four permanent positions	23,540 00
0355-01	For the salaries of the district attorney and assistants for the middle district, including not more than five permanent positions	23,880 00
0356-01	For the salaries of the district attorney and assistants for the western district, including not more than three permanent positions	15,580 00
0357-01	For the salaries of the district attorney and assistant for the northwestern district, including not more than two permanent positions	9,180 00
0358-01	For the salaries of the district attorney and assistants for the Norfolk district, including not more than four permanent positions	18,000 00

Item		
0359-01	For the salaries of the district attorney and assistants for the Plymouth district, including not more than three permanent positions	\$14,500 00
0365-01	For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, including expenses incurred in previous years	10,000 00
	Total	<u>\$282,660 00</u>

Board of Probation.

0370-01	For the service of the board, including not more than forty-eight permanent positions	\$168,005 00
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Board of Bar Examiners.

0380-01	For the service of the board, including not more than six permanent positions	\$38,510 00
	Total, Judiciary	<u><u>\$2,758,190 00</u></u>

Service of the Executive Department.

Governor.

0401-01	For the salary of the governor	\$20,000 00
0401-02	For the salaries of officers and employees in the governor's office	125,000 00
0401-03	For postage, printing, office and other contingent expenses, including travel, of the governor	35,000 00
0401-04	For maintenance expenses of the governor's automobile	1,300 00
	Total	<u>\$181,300 00</u>

Other Expenses.

0401-31	For the purchase of portraits of governors of the commonwealth, as authorized by section nineteen of chapter eight of the General Laws, prior appropriation continued.	
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Lieutenant-Governor.

0402-01	For the salary of the lieutenant-governor	\$8,000 00
0402-02	For personal services for the lieutenant-governor's office	18,060 00
	Total	<u>\$26,060 00</u>

Governor's Council.

0403-01	For the salaries of the eight councilors	\$24,000 00
0403-02	For personal services for the council	26,250 00
0403-03	For postage, printing, stationery, traveling and contingent expenses of the governor and council	15,000 00
0403-05	For travel and expenses of the lieutenant-governor and council from and to their homes	4,500 00
	Total	<u>\$69,750 00</u>

<i>Extraordinary Expenses.</i>	
Item	
0405-01	For the cost, not to exceed fifteen thousand dollars, of entertainment of distinguished visitors to the commonwealth, provided that no expenditure shall be allowed for a party exceeding fifty visitors; for the payment of extraordinary expenses not otherwise provided for; and for transfers to appropriation accounts where the amounts otherwise available are insufficient, provided that requests for such transfers shall be referred to the commission on administration and finance which, after investigation, shall submit for the approval of the governor and council its written recommendation as to the amount of funds required, with facts pertinent thereto . . .
	\$100,000 00

Civil Defense Agency.

0406-01	For the service of the civil defense agency, as authorized by chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty and chapter five hundred and twenty-two of the acts of nineteen hundred and fifty-one as further amended by chapter four hundred and ninety-one of the acts of nineteen hundred and fifty-three . . .	\$221,220 00
Total, Executive Department . . .		<u>\$598,330 00</u>

Service of the Military Division.*Adjutant General.*

0420-01	For the salary of the adjutant general . . .	\$11,560 00
0420-02	For the office of the adjutant general, including not more than thirty-two permanent positions . . .	150,864 00
Militia:		
0421-01	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general . . .	180,000 00
0421-02	For officers' uniform allowances, as authorized by paragraph (c) of section one hundred and twenty of chapter thirty-three of the General Laws . . .	65,000 00
0421-05	For certain camps of instruction . . .	67,300 00
0421-07	For transportation of officers and non-commissioned officers to and from military meetings and regimental and battalion drills . . .	3,000 00
0421-13	For compensation for special and miscellaneous duty, including not more than five permanent positions, and for expenses of operation of the twenty-sixth division . . .	28,305 00
0421-14	For compensation for accidents and injuries sustained in the performance of military duty . . .	3,500 00
0421-15	To cover certain small claims for damages to private property arising from military maneuvers . . .	1,200 00

Item		
0421-17	For the military reservation, located in Barnstable county, including compensation of the commissioner	\$1,020 00
0421-21	For the service of the air national guard	8,180 00
State Guard:		
0421-50	For the planning and organizing of a state guard, for the training of an air ground observer corps and an aircraft warning service, and for expenses related thereto, to be expended under the direction of the adjutant general; provided, that upon request of the adjutant general and the recommendation of the commission on administration and finance, the governor, with the approval of the council, may transfer in whole or in part to this item amounts authorized for military affairs for the fiscal year nineteen hundred and fifty-five, prior appropriation continued	6,800 00
Total		\$526,729 00

State Quartermaster.

0423-01	For the office of the state quartermaster	\$4,435 00
0423-02	For the operation of armories of the first class, including not more than eighty-four permanent positions	494,840 00
0423-21	For certain repairs to armories, prior appropriation continued, expires June thirtieth, nineteen hundred and fifty-six	126,000 00
Militia:		
0424-01	For reimbursement for rent and maintenance of armories not of the first class	29,900 00
0424-02	For the Camp Curtis Guild rifle range, including not more than seven permanent positions	33,160 00
0424-05	For certain storage and maintenance facilities, including not more than twelve permanent positions	124,465 00
0424-08	For certain national guard aviation facilities, including not more than two permanent positions	114,165 00
Total		\$926,965 00

Armory Commission.

0428-01	For compensation of one member and for expenses of the armory commission	\$200 00
Notwithstanding the provisions of chapter thirty of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades, so called.		
Total, Military Division		<u>\$1,453,894 00</u>

Boards and Commissions serving under Governor and Council.

		<i>Commission on Administration and Finance.</i>	
Item			
0440-31	For personnel appeal boards, as authorized by chapter four hundred and eighty-five of the acts of nineteen hundred and forty-five		\$100 00
0440-32	For awards to state employees to be granted as provided by chapter five hundred and four of the acts of nineteen hundred and fifty-three, prior appropriation continued .		2,500 00
0441-01	For the office of the commissioner of administration, including not more than fifteen permanent positions; provided, that the incumbent on requisition number 45510 shall have permanent status under chapter thirty-one of the General Laws subject to his passing a qualifying examination; and, further provided, that the comptroller shall transfer to the General Fund the sum of twenty-three thousand eight hundred and thirty-one dollars from the Highway Fund .		119,155 00
0441-03	For telephone service in the state house .		120,000 00
0442-01	For the bureau of the comptroller, including not more than one hundred and seventeen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and three thousand nine hundred and twenty-five dollars from the Highway Fund .		519,623 00
0443-01	For the bureau of the budget commissioner, including not more than eight permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of eleven thousand eight hundred and thirty-eight dollars from the Highway Fund .		59,190 00
0444-01	For the bureau of the purchasing agent, including not more than seventy-one permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of fifty-eight thousand seven hundred and fifty-six dollars from the Highway Fund .		293,780 00
0444-02	For the purchase of paper used in the execution of the contracts for state printing, other than legislative .		80,000 00
0444-03	For the purchase by the state purchasing agent of motor vehicles for which funds are not otherwise available. Motor vehicles purchased under this item are to be allocated, with the approval of the commission on administration and finance, to the departments and agencies of the commonwealth whose appropriations are made from the General Fund, and transfers of the sums required for said purchases are to be authorized by said commission from the amount herein appropriated to appropriations made for the services of said departments and agencies. Said commission is hereby authorized to provide for the transfer of motor vehicles from one such agency		

Item		
	or department to another when, in its opinion, such a transfer is for the best interests of the commonwealth	\$200,000 00
0445-01	For the division of personnel and standardization, including not more than thirty-seven permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of forty-four thousand one hundred and two dollars from the Highway Fund	220,510 00
0446-01	For the division of building construction, including not more than thirty-six permanent positions	203,505 00
0447-01	For the division of hospital costs and finances, as authorized by chapter six hundred and thirty-six of the acts of nineteen hundred and fifty-three, including not more than three permanent positions	16,530 00
	Total	\$1,834,893 00

State Superintendent of Buildings.

0450-01	For the office of the superintendent, including not more than five permanent positions	\$27,340 00
0450-02	For the maintenance of the state house and the Ford building, including not more than one hundred and sixty-four permanent positions	754,955 00
	Total	\$782,295 00

New England Interstate Water Pollution Control Commission.

0455-01	For expenses of the New England interstate water pollution control commission, as authorized by chapter four hundred and twenty-one of the acts of nineteen hundred and forty-seven, and for compensation and expenses of the commissioners, as provided by section four of said chapter	\$7,820 00
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Commissioners on Uniform State Laws.

0457-01	For the expenses of the commissioners	\$2,300 00
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State Library.

0459-01	For the service of the state library, including not more than thirty-one permanent positions	\$131,420 00
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Art Commission.

0460-01	For expenses of the commission, notwithstanding the limitation of section nineteen of chapter six of the General Laws	\$500 00
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Ballot Law Commission.

0461-01	For compensation and expenses of the commissioners, including not more than three permanent positions	\$3,085 00
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Massachusetts Commission on Discrimination.

0462-01	For the service of the Massachusetts commission on discrimination, including not more than thirteen permanent positions	\$73,450 00
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<i>Outdoor Advertising Authority.</i>		
Item		
0464-01	For the service of the outdoor advertising authority, including not more than ten permanent positions	\$46,145 00
<i>Mount Greylock Reservation Commission.</i>		
0466-01	For the maintenance of the Mount Greylock war memorial	\$2,152 00
<i>Old State House.</i>		
0467-01	For the contribution of the commonwealth toward the maintenance of the old provincial state house	\$1,500 00
<i>Commission on Alcoholism.</i>		
0468-01	For the service of the commission on alcoholism, as authorized by chapter five hundred and thirteen of the acts of nineteen hundred and forty-seven, including not more than one permanent position	\$11,045 00
<i>Contributory Retirement Appeal Board.</i>		
0471-01	For the service of the contributory retirement appeal board	\$200 00
<i>Rent Control Agency.</i>		
0473-01	For the administration of a program of rent control, as authorized by chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-three, prior appropriation continued	\$19,675 00
<i>Connecticut River Valley Flood Control Commission.</i>		
0474-01	For expenses of the commission and for reimbursement for loss of taxes, as authorized by chapter six hundred and ninety-two of the acts of nineteen hundred and fifty-one	\$10,336 00
<i>Massachusetts Aeronautics Commission.</i>		
0490-01	For the compensation and expenses of members of the Massachusetts aeronautics commission, including not more than five permanent positions	\$6,800 00
0490-02	For the service of the Massachusetts aeronautics commission, including not more than nine permanent positions	61,075 00
Total		\$67,875 00
<i>State Airport Management Board.</i>		
0492-01	For the service of the state airport management board, as authorized by chapter six	

Item		
	hundred and thirty-seven of the acts of nineteen hundred and forty-eight, including not more than nine permanent positions	\$52,274 00
0493-01	For the operation of the Logan airport, including not more than one hundred and four permanent positions	755,950 00
0493-02	For certain repairs and the seal coating of runways, prior appropriation continued	100,000 00
0493-03	This item included in item 0493-02.	
0494-01	For the operation of the Hanscom field, including not more than eight permanent positions	39,075 00
	Total	\$947,299 00
	Total, Boards and Commissions serving under Governor and Council	\$3,941,990 00

Service of the Secretary of the Commonwealth.

0501-01	For the salary of the secretary	\$9,000 00
0501-02	For the office of the secretary, including not more than seventy-four permanent positions	359,309 00
0501-10	For the expenses of the decennial census	12,790 00
0502-01	For the purchase of certain supplies, equipment and repairs necessary in connection with the reproduction of the manuscript collection designated "Massachusetts Archives", and for the furnishing of photostatic copies of corporation papers, election papers and acts and resolves	6,650 00
0502-02	For the purchase and distribution of copies of certain journals of the house of representatives of Massachusetts Bay from seventeen hundred and fifteen to seventeen hundred and eighty, inclusive, as authorized by chapter four hundred and thirteen of the acts of nineteen hundred and twenty, as amended	2,250 00
	Total	\$389,999 00

Printing Laws, etc.:

0503-01	For printing and distributing the pamphlet edition and for printing and binding the blue book edition of the acts and resolves of the year nineteen hundred and fifty-five, prior appropriation continued	\$32,150 00
0503-02	For the printing of reports of decisions of the supreme judicial court, prior appropriation continued	12,825 00
0503-03	For printing and binding public documents, prior appropriation continued	6,525 00
	Total	\$51,500 00

Matters relating to Elections:

0504-01	For preparing, printing and distributing ballots, and other miscellaneous expenses for primary and other elections, including not more than five permanent positions, prior appropriation continued	\$232,232 00
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Item		
0504-04	For expenses of publication of lists of candidates and forms of questions before state elections	\$16,000 00
	Total	<u>\$248,232 00</u>

Medical Examiners:

0505-01	For medical examiners' fees	\$1,500 00
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Commission on Interstate Co-operation.

0506-01	For the service of the commission, including not more than two permanent positions	\$26,630 00
	Total, Secretary of the Commonwealth	<u><u>\$717,861 00</u></u>

Service of the Treasurer and Receiver-General.

0601-01	For the salary of the treasurer and receiver-general	\$9,000 00
0601-02	For the office of the treasurer and receiver-general, including not more than forty-four permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and twenty thousand dollars from the Highway Fund	330,735 00
	Total	<u>\$339,735 00</u>

Commissioners on Firemen's Relief.

0602-01	For expenses of administration and for relief disbursed by the commissioners on firemen's relief	\$15,220 00
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State Board of Retirement.

0604-01	For the administrative office of the board, including not more than twenty permanent positions, prior appropriation continued	\$80,675 00
0604-03	For the payment of the commonwealth's share in financing the state employees' retirement system, as provided by chapter thirty-two of the General Laws, prior appropriation continued; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and fifty thousand dollars from the Highway Fund; and, further provided, that the amounts of reimbursements received from the metropolitan district commission, in accordance with the provisions of section nine A of chapter twenty-nine of the General Laws, are to be in addition to this item and to be available for expenditure without further appropriation	2,991,930 00
	Total	<u>\$3,072,605 00</u>

Emergency Finance Board.

Item		
0605-01	For administrative expenses of the board, including not more than one permanent position	\$15,230 00
Total, Department of the Treasurer and Receiver-General		<u>\$3,442,790 00</u>

Service of the Auditor of the Commonwealth.

0701-01	For the salary of the auditor	\$9,000 00
0701-02	For the office of the auditor, including not more than forty permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of forty-eight thousand three hundred and sixty dollars from the Highway Fund	241,795 00
0701-23	For an audit of the accounts of the Metropolitan Transit Authority	24,610 00
0701-24	For the expense of an audit of the books of the New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, to be reimbursed by said authority as provided by law	4,400 00
Total, Department of the Auditor		<u>\$279,805 00</u>

Service of the Department of the Attorney General.

0801-01	For the salary of the attorney general	\$12,000 00
0801-02	For the office of the attorney general, including not more than forty-one permanent positions	276,480 00
0802-01	For the settlement of certain claims, as provided by law, on account of damages by cars owned by the commonwealth and operated by state employees; provided, that the comptroller shall transfer to the General Fund from the appropriate funds sums equal to the payments made under this item for claims against agencies whose appropriations are derived from other funds	25,000 00
0802-02	For the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws	15,000 00
Total, Department of the Attorney General		<u>\$328,480 00</u>

Service of the Department of Agriculture.

0901-01	For the salary of the commissioner	\$7,000 00
0901-02	For the office of the commissioner, including not more than twenty-six permanent positions	131,286 00
0901-11	For compensation and expenses of members of the advisory board	330 00
0901-21	For apiary inspection, including not more than one permanent position, and for the reimbursement of owners of diseased bees	

Item		
	as provided in section thirty-four of chapter one hundred and twenty-eight of the General Laws	\$8,170 00
0901-22	For a program of soil conservation, as authorized by chapter five hundred and thirty-one of the acts of nineteen hundred and forty-five, as amended	1,732 00
	Total	\$148,518 00

Division of Dairying and Animal Husbandry.

0905-01	For the service of the division, including not more than eight permanent positions	\$45,786 00
0905-03	For administering the law relative to the inspection of barns and dairies by the department of agriculture, including not more than fifteen permanent positions	82,840 00
	Total	\$128,626 00

Milk Control Commission.

0906-01	For the service of the commission, including not more than thirty-four permanent positions; provided, that permanent civil service employees of the milk control commission may be transferred to positions in the service of the commonwealth of equal or lower grade, as established by the division of personnel, regardless of whether or not the title is similar, upon request of the appointing authority of the department to which the employee is to be transferred and with the consent of the employee. Such transfer shall be without loss of seniority, retirement or other rights	\$165,358 00
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Division of Livestock Disease Control.

0907-01	For the office of the director, including not more than twenty-six permanent positions and not more than fifty permanent intermittent positions	\$222,205 00
0907-06	For reimbursement of owners of horses killed during the year nineteen hundred and fifty-five and previous years, travel, when allowed, of inspectors of animals, incidental expenses of killing and burial, quarantine and emergency services, and for laboratory and veterinary supplies and equipment	12,760 00
0907-07	For reimbursement of owners of tubercular cattle killed, as authorized by section twelve A of chapter one hundred and twenty-nine of the General Laws and in accordance with certain provisions of law and agreements made under authority of section thirty-three of said chapter one hundred and twenty-nine, prior appropriation continued	10,000 00
0907-10	This item included in item 0907-01.	
	Total	\$248,925 00

Division of Markets.

Item		
0908-01	For the service of the division, including not more than twelve permanent positions .	\$84,960 00

Division of Plant Pest Control and Fairs.

0909-01	For the service of the division, including not more than three permanent positions .	\$34,305 00
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State Reclamation Board.

0910-01	For the service of the board, including not more than four permanent positions .	\$15,965 00
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Total, Department of Agriculture.	\$822,697 00
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Service of the Department of Natural Resources.

1001-01	For the salary of the commissioner . . .	\$10,000 00
1001-02	For the office of the commissioner, including not more than nineteen permanent positions .	116,160 00
1001-04	For the expenses of the natural resources board	3,000 00
Total	. . . . .	\$129,160 00

Division of Forests and Parks.

1002-01	For the office of the director, including not more than five permanent positions .	\$22,850 00
1002-12	For the service of the state fire warden, including not more than eighteen permanent positions, and for expenses of the Northeastern Forest Fire Protection Commission, as authorized by chapter four hundred and fifty-seven of the acts of nineteen hundred and forty-nine, and for compensation of commissioners, as provided by section four of said chapter	357,205 00
1002-14	For the expenses of forest fire patrol, as authorized by section twenty-eight A of chapter forty-eight of the General Laws . . .	59,470 00
1002-21	For the development of forests, including not more than twenty-seven permanent positions .	220,225 00
1002-26	For certain farm forestry projects in co-operation with the United States Forest Service and the county of Berkshire; provided, that no expenditure shall be made under this item until the county of Berkshire shall have deposited the sum of one thousand four hundred and seventy-one dollars in the state treasury for this project . . .	5,885 00
1002-27	For certain farm forestry projects in co-operation with the United States Forest Service and the county of Essex; provided, that no expenditure shall be made under this item until the county of Essex shall have deposited the sum of one thousand four hundred and ninety-six dollars in the state treasury for this project	5,985 00

Item		
1002-31	For the suppression of insect pests and shade tree diseases, including gypsy and brown tail moths and Japanese beetles under any general or special law, and including not more than seven permanent positions, prior appropriation continued	\$183,015 00
	Total	\$854,635 00

Division of Law Enforcement.

1003-01	For the office of the director, including not more than five permanent positions	\$20,055 00
1003-02	For the administration and enforcement of laws relative to shellfish and other marine fisheries, and for regulating the sale and cold storage of fresh food fish, including not more than twenty-six permanent positions	145,110 00
1003-03	For conservation officers, including not more than thirty-nine permanent positions; provided, that the comptroller shall transfer to the General Fund a sum equal to fifty per cent of the payments made under this item from the Inland Fisheries and Game Fund, as provided by section three A of chapter one hundred and thirty-one of the General Laws	206,245 00
	Total	\$371,410 00

Division of Marine Fisheries.

1004-70	For the service of the office of the director, including not more than ten permanent positions, and for the administration of the activities provided for under items 2610-04 and 2610-05	86,010 00
1004-93	For experimental work with and consultant services of the Woods Hole Oceanographic Institute for the purpose of increasing the supply of shellfish in the commonwealth	20,000 00
	Total	\$106,010 00
	Total, Department of Natural Resources	\$1,461,215 00

Service of the Department of Banking and Insurance.*Division of Banks.*

1101-01	For the salary of the commissioner	\$12,000 00
1101-02	For the office of the commissioner, including not more than one hundred and fifty-four permanent positions	822,634 00
1102-01	For the office of the supervisor of loan agencies, including not more than nine permanent positions	42,030 00
	Total	\$876,664 00

Division of Insurance.

1103-01	For the salary of the commissioner	\$12,000 00
1103-02	For the service of the division, including expenses of the board of appeal and certain other costs of supervising motor vehicle	

Item

liability insurance, and including not more than two hundred and thirty-nine permanent positions; provided, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws; and, provided further, that the comptroller shall transfer to the General Fund the sum of one hundred and sixty-six thousand nine hundred and twenty-five dollars from the Highway Fund . . . \$1,112,830 00

Total . . . \$1,124,830 00

Division of Savings Bank Life Insurance.

1105-01 For the service of the division, including not more than thirty permanent positions . . . \$129,365 00

Total, Department of Banking and Insurance . . . \$2,130,859 00

Service of the Department of Corporations and Taxation.

1201-01 For the salary of the commissioner and associate commissioners . . . \$43,000 00

1201-02 For personal services of the department except as otherwise provided, including not more than six hundred and sixty-six permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and thirty-seven thousand one hundred and eighty-five dollars from the Highway Fund, the sum of one hundred and thirty-seven thousand one hundred and eighty-five dollars from amounts collected under chapter sixty-four B of the General Laws and the sum of one million seven hundred thousand dollars from the receipts of the income tax . . . 2,743,710 00

1201-03 For expenses of the department except as otherwise provided for; provided, that the comptroller shall transfer to the General Fund the sum of twenty-five thousand three hundred and fifty-three dollars from the Highway Fund . . . 126,765 00

1201-12 For expenses of the division of field investigation and temporary taxes . . . 23,105 00

1201-22 For expenses for the administration of an excise on meals; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from amounts collected under chapter sixty-four B of the General Laws . . . 27,890 00

1202-02 For expenses of the income tax division; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from receipts of the income tax . . . 431,940 00

1202-03 This item omitted.

Total . . . \$3,396,410 00

Division of Accounts.

Item		
1203-01	For the service of the division, including not more than one hundred and twenty-two permanent positions, partly chargeable to item 1203-11	\$610,400 00
1203-11	For expenses of auditing and installing systems of municipal accounts, the cost of which is to be assessed upon the municipalities for which the work is done	63,000 00
1203-12	For the expenses of certain books, forms and other material which may be sold to cities and towns requiring the same for maintaining their system of accounts	45,000 00
1203-21	For the service of the county personnel board, including not more than six permanent positions	16,045 00
	Total	<u>\$734,445 00</u>

Appellate Tax Board.

1204-01	For the service of the board, including not more than twenty-eight permanent positions	\$178,544 00
	Total, Department of Corporations and Taxation	<u>\$4,309,399 00</u>

Service of the Department of Education.

1301-01	For the salary of the commissioner	\$11,000 00
1301-02	For the office of the commissioner, including not more than sixty-five permanent positions	327,930 00
1301-03	For extension courses in the methods used in the art of teaching and related subjects, to be conducted by the division of teachers colleges, for graduates of teachers colleges or for such students or graduates of other colleges as may be approved by the state board of education; provided, that such courses may be furnished free of charge to veterans, as authorized in sections seven and seven A of chapter sixty-nine of the General Laws; and, further provided, that the division may, in addition to the sums appropriated for the purpose in this item, receive and expend without appropriation income derived from such courses as may be conducted at no net expense to the commonwealth to an amount not exceeding fifty thousand dollars with the approval of the state board of education	20,000 00
1301-06	For printing school registers and other school blanks for cities and towns	4,900 00
1301-07	For expenses of holding teachers' institutes	970 00
1301-08	For aid to certain pupils in state teachers' colleges, under the direction of the department of education	4,000 00
1301-10	For the service of the state building on Newbury Street, Boston, including not more than four permanent positions	38,240 00
1301-12	For the representation of the commonwealth at a meeting of the Northeastern State Board and Commissioners of Education	1,000 00

Item		
1301-20	For the Board of Education, including not more than two permanent positions . . .	\$10,005 00
1301-21	For the service of the Massachusetts Rehabilitation Commission, including not more than six permanent positions . . .	12,600 00
1301-23	For printing guides for school curricula, prior appropriation continued.	
1301-24	This item included in item 1301-02.	
1301-25	For expenses of the board of collegiate authority	625 00
1301-28	This item included in item 1301-02.	
1301-29	For a program of sight saving classes . . .	1,250 00
1302-01	For a summer school to be conducted at Hyannis or elsewhere, with the approval of the commissioner of education	7,910 00
	Total	<u>\$440,430 00</u>

School Lunch and Commodity Distribution Program.

1305-01	For the administration of the program, including not more than twenty-two permanent positions	\$96,299 00
1305-05	For partial assistance in the furnishing of lunches to school children, as authorized by chapter five hundred and thirty-eight of the acts of nineteen hundred and fifty-one; provided, that notwithstanding any provisions of law to the contrary, payments so authorized to be paid from state funds shall not exceed fifty per cent of the total reimbursement authorized by the national school lunch act; and, further provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	290,000 00
	Total	<u>\$386,299 00</u>

Division of Vocational Education.

1307-01	For the training of teachers for vocational schools, to comply with the requirement of federal authorities under the provisions of the Smith-Hughes act, so called, including not more than thirty-one permanent positions	\$102,186 00
1307-02	For expenses required for the operation of an agency for surplus property	17,200 00
	Total	<u>\$119,386 00</u>

Division of Vocational Rehabilitation.

1309-01	For the expenses of the division of vocational rehabilitation, prior appropriation continued	\$197,000 00
1309-02	This item included in item 1309-01.	
	Total	<u>\$197,000 00</u>

Education of Deaf and Blind Pupils.

1311-01	For education of deaf and blind pupils of the commonwealth, as provided by section	
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Item		
	twenty-six of chapter sixty-nine of the General Laws, prior appropriation continued	\$1,018,500 00
	<i>Division of University Extension.</i>	
1313-01	For the university extension courses, including not more than forty permanent positions	\$308,425 00
1313-05	This item included in item 1301-02.	
	Total	\$308,425 00
	<i>Division of Immigration and Americanization.</i>	
1315-01	For the service of the division, including not more than nineteen permanent positions	\$86,530 00
	<i>Division of Public Libraries.</i>	
1316-01	For the service of the division, including not more than twenty-five permanent positions	\$114,610 00
	<i>Division of the Blind.</i>	
1317-01	For general administration and for instruction of the adult blind in their homes, including not more than sixty-five permanent positions	\$261,285 00
1317-08	For aiding the adult blind, subject to the conditions provided by law, including the cost of certain medical assistance and supplies, prior appropriation continued	1,179,900 00
1317-10	For expenses of administering and operating the service of piano tuning under section twenty-five of chapter sixty-nine of the General Laws	22,500 00
1317-11	For the operation of local shops, including not more than eleven permanent positions	168,951 00
1317-13	For the operation of the Woolson House industries, including not more than three permanent positions	97,458 00
1317-15	For the operation of the salesroom and other expenses in connection with the sale of materials made by blind persons, including not more than four permanent positions	38,325 00
1317-16	For the operation of certain industries for men, including not more than seven permanent positions	366,146 00
1317-17	For the operation of a workshop for the blind in the city of Springfield, as authorized by chapter six hundred and sixty-six of the acts of nineteen hundred and fifty-one, including not more than two permanent positions	50,124 00
1317-28	For the promotion of vocational rehabilitation of the blind in co-operation with the federal government	23,000 00
	Total	\$2,207,689 00
	<i>Teachers' Retirement Board.</i>	
1319-01	For the service of the board, including not more than thirty permanent positions	\$116,481 00
1319-08	For the payment of the commonwealth's share in financing the teachers' retirement	

Item		
	system, as provided by chapter thirty-two of the General Laws as amended, prior appropriation continued	\$6,770,000 00
	Total	\$6,886,481 00
<i>Massachusetts Maritime Academy.</i>		
1327-01	For administration, including not more than two permanent positions	\$10,770 00
1327-10	For maintenance of the academy and ship, including not more than forty-nine permanent positions, with the approval of the commissioner of education	343,246 00
	Total	\$354,016 00
<i>For the maintenance of and for certain improvements at the following state teachers' colleges, and the boarding halls attached thereto, with the approval of the commissioner of education:</i>		
1330-01	State teachers' college at Bridgewater, including not more than eighty-two permanent positions	\$473,840 00
1330-21	State teachers' college at Bridgewater, boarding hall, including not more than thirty-two permanent positions	173,030 00
1331-01	State teachers' college at Fitchburg, including not more than eighty permanent positions	449,752 00
1331-21	State teachers' college at Fitchburg, boarding hall, including not more than eleven permanent positions	96,130 00
1332-01	State teachers' college at Framingham, including not more than eighty-one permanent positions	368,410 00
1332-21	State teachers' college at Framingham, boarding hall, including not more than thirty permanent positions	141,575 00
1332-36	For the renovation of the heating system, Crocker hall, prior appropriation continued, expires June thirtieth, nineteen hundred and fifty-six	7,000 00
1333-01	State teachers' college at Lowell, including not more than fifty-six permanent positions	237,585 00
1334-01	State teachers' college at North Adams, including not more than thirty-six permanent positions	156,890 00
1334-21	State teachers' college at North Adams, boarding hall, including not more than five permanent positions	26,970 00
1335-01	State teachers' college at Salem, including not more than sixty-one permanent positions	313,700 00
1336-01	State teachers' college at Westfield, including not more than thirty-nine permanent positions	164,085 00
1336-21	State teachers' college at Westfield, boarding hall, including not more than two permanent positions	8,090 00
1337-01	State teachers' college at Worcester, including not more than fifty-four permanent positions	248,690 00

Item		
1337-31	For resurfacing certain floors, prior appropriation continued, expires June thirtieth, nineteen hundred and fifty-six	\$5,000 00
1338-01	State teachers' college at Boston, including not more than seventy-two permanent positions	409,740 00
1338-21	For the reconstruction of a certain coping and parapet, appropriation expires June thirtieth, nineteen hundred and fifty-six	20,000 00
1338-24	For certain interior painting, appropriation expires June thirtieth, nineteen hundred and fifty-six	5,000 00
1339-01	Massachusetts school of art, including not more than thirty-three permanent positions	224,355 00
	Total	<hr/> \$3,529,842 00

For the maintenance of and for certain improvements at the following institutes, with the approval of the commissioner of education and the trustees thereof:

1340-01	Bradford Durfee technical institute, including not more than thirty-one permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Fall River as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and fifty-four	\$225,825 00
1342-01	New Bedford institute of textiles and technology, including not more than thirty-four permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of New Bedford as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and fifty-four	223,435 00
1342-22	For certain interior and exterior painting, appropriation expires June thirtieth, nineteen hundred and fifty-six	10,000 00
1342-23	This item included in item 1342-22.	
	Total	<hr/> \$459,260 00

Lowell Technological Institute of Massachusetts.

1345-01	For the maintenance of the Lowell Technological Institute of Massachusetts, with the approval of the trustees, including not more than one hundred and thirty-four permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Lowell as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and fifty-four: provided, that said institute is hereby authorized to conduct a summer school at no expense to the commonwealth, and for said purpose the institute may receive and expend income derived therefrom	\$926,980 00
1345-42	For certain scholarships at the Lowell Technological Institute of Massachusetts, as	

Item		
	authorized by chapter four hundred and seven of the acts of nineteen hundred and fifty-three	\$5,000 00
	Total	\$931,980 00

University of Massachusetts.

1350-01	For the maintenance of the University of Massachusetts, with the approval of the trustees, including not more than eight hundred and ninety-five permanent positions; provided, that notwithstanding the limitation of section four of chapter seven hundred and fifteen of the acts of nineteen hundred and fifty-one, authorization is hereby granted to allow payment from this account of the increase provided under said chapter seven hundred and fifteen to all employees at the University of Massachusetts classified under sections forty-five to fifty, inclusive, of chapter thirty of the General Laws, as amended	\$6,048,645 00
1350-21	This item omitted.	
1350-25	For certain additional improvements to farm and dairy buildings, including furnishings and equipment, prior appropriation continued.	
1350-96	For certain scholarships at the University of Massachusetts, as authorized by chapter five hundred and twenty-four of the acts of nineteen hundred and fifty-one	25,000 00
	Total	\$6,073,645 00

Youth Service Board.

1380-01	For administration of the youth service board, as authorized by chapter six hundred and five of the acts of nineteen hundred and fifty-two, including not more than sixty-five permanent positions	\$546,235 00
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For the maintenance of and for certain improvements at the institutions under the control of the youth service board, with the approval of said board; provided, that permanent employees in the farm quotas of said institutions whose positions were abolished as of June thirtieth, nineteen hundred and fifty-three, shall be transferred to positions in the service of the commonwealth of equal or lower grade, as established by the division of personnel, regardless of whether or not the title is similar, upon request of the appointing authority of the department to which the employee is to be transferred and with the consent of the employee. Such transfer shall be without loss of seniority, retirement, civil service or other rights:

1381-01	Industrial school for boys, including not more than one hundred and ten permanent positions	548,310 00
1382-01	Industrial school for girls, including not more than fifty-six permanent positions	340,755 00

Item		
1383-01	Lyman school for boys, including not more than one hundred and thirty-seven permanent positions	\$761,865 00
1384-01	For the operation of a detention center, including not more than six permanent positions	131,520 00
1385-01	For the operation of the institute of juvenile guidance, including not more than forty-eight permanent positions	168,195 00
	Total	<u>\$1,950,645 00</u>
	Total, Youth Service Board	<u>\$2,496,880 00</u>

Board of Educational Television.

1391-01	For the expenses of the board of educational television, prior appropriation continued.	
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School Building Assistance Commission.

1393-01	For the school building assistance commission	\$63,235 00
	Total, Department of Education	<u><u>\$25,674,208 00</u></u>

Service of the Department of Civil Service and Registration.

Division of Civil Service.

1402-01	For the salary of the director and for the compensation of members of the commission	\$33,400 00
1402-02	For the service of the division, including not more than two hundred and one permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and twenty thousand eight hundred and seventy dollars from the Highway Fund	805,800 00
1402-21	For expenses of hearings, as authorized by section one of chapter six hundred and sixty-seven of the acts of nineteen hundred and forty-five	4,000 00
	Total	<u>\$843,200 00</u>

Division of Registration.

1403-01	For the salary of the director	\$5,000 00
1403-02	For the service of the division, including not more than forty-four permanent positions	214,515 00
	Total	<u>\$219,515 00</u>

For the service of the following agencies in the division:

1404-01	Board of registration in medicine, including not more than seven permanent positions	\$8,060 00
1405-01	Board of dental examiners, including not more than five permanent positions	4,800 00
1406-01	Board of registration in chiropody, including not more than five permanent positions	2,800 00
1407-01	Board of registration in pharmacy, including not more than nine permanent positions	25,730 00

Item		
1408-01	Board of registration of nurses, including not more than ten permanent positions . . .	\$4,405 00
1409-01	Board of registration in embalming and funeral directing, including not more than three permanent positions . . .	6,600 00
1410-01	Board of registration in optometry, including not more than five permanent positions . . .	2,250 00
1411-01	Board of registration in veterinary medicine, including not more than five permanent positions . . .	2,390 00
1412-01	Board of registration of professional engineers and land surveyors . . .	4,010 00
1413-01	Board of registration of architects, including not more than five permanent positions . . .	3,410 00
1414-01	Board of registration of certified public accountants, including not more than five permanent positions . . .	9,350 00
1416-01	State examiners of electricians, including not more than two permanent positions . . .	8,000 00
1417-01	State examiners of plumbers, including not more than three permanent positions . . .	6,250 00
1420-01	Board of registration of barbers, including not more than eight permanent positions . . .	36,763 00
1421-01	Board of registration of hairdressers, including not more than seventeen permanent positions	72,075 00
	Total	<u>\$196,893 00</u>
	Total, Department of Civil Service and Registration	<u>\$1,259,608 00</u>

Service of the Department of Commerce.

1551-01	For the service of the department, including not more than twenty-seven permanent positions, prior appropriation continued . . .	\$533,799 00
	Total, Department of Commerce	<u>\$533,799 00</u>

Service of the Department of Labor and Industries.

1601-01	For general administration, including not more than thirteen permanent positions . . .	\$76,520 00
1603-01	For the division of industrial inspection, including not more than sixty-seven permanent positions . . .	335,855 00
1605-01	For the division of occupational hygiene, including not more than fourteen permanent positions . . .	70,660 00
1607-01	For the division of statistics, including not more than thirty-four permanent positions . . .	140,615 00
1609-01	For administration of the division on necessities of life, including not more than five permanent positions . . .	23,200 00
1609-05	For administration, by said division, of sections two hundred and ninety-five A to two hundred and ninety-five O, inclusive, of chapter ninety-four of the General Laws, relating to the advertising and sale of motor fuel at retail, including not more than twelve permanent positions	59,643 00

Item		
1611-01	For the board of conciliation and arbitration, including not more than sixteen permanent positions	\$96,030 00
1613-01	For the commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	138,375 00
1615-01	For the division of standards, including not more than fifteen permanent positions	78,580 00
	Total	<u>\$1,019,478 00</u>

Labor Relations Commission.

1619-01	For the service of the commission, including not more than nineteen permanent positions	\$97,038 00
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Division of Industrial Accidents.

1651-01	For personal services of members of the board, including not more than nine permanent positions	\$73,000 00
1651-02	For the service of the board, including not more than one hundred and twenty-five permanent positions; provided, that notwithstanding the provisions of chapter six hundred and thirty of the acts of nineteen hundred and fifty-two, the board shall provide such clerical service from time to time as may be required by the Massachusetts rehabilitation commission	643,085 00
1651-05	For expenses of impartial examinations, prior appropriation continued	62,500 00
1651-06	For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, prior appropriation continued; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and fifty-eight thousand dollars from the Highway Fund	450,000 00
	Total	<u>\$1,228,585 00</u>

Division of Self-Insurance.

1651-21	For the service of the division, including not more than six permanent positions, as authorized by chapter sixty of the acts of nineteen hundred and forty-five	\$29,080 00
	Total, Department of Labor and Industries	<u><u>\$2,374,181 00</u></u>

Service of the Department of Mental Health.

1701-01	For the salary of the commissioner	\$15,000 00
1701-02	For administration, including the division of mental hygiene, and including not more than one hundred and eighty-four permanent positions, and for the transportation	

Item

and medical examinations of patients and certain feeble-minded persons; provided, that the position of supervisor of laundry service shall not be subject to the civil service laws and rules	\$1,334,221 00
Total	\$1,349,221 00

Division of Mental Hygiene.

1702-00	This item included in item 1701-02.	
	<i>For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:</i>	
1710-00	Boston psychopathic hospital, including not more than one hundred and ninety-three permanent positions	\$961,326 00
1711-00	Boston state hospital, including not more than seven hundred and seventy-two permanent positions	3,899,100 00
1711-21	For certain fireproofing in the K Building, prior appropriation continued.	
1712-00	Danvers state hospital, including not more than six hundred and fifty-five permanent positions	2,885,012 00
1712-21	For certain floor covering, appropriation expires June thirtieth, nineteen hundred and fifty-six	20,000 00
1713-00	Foxborough state hospital, including not more than four hundred and fifteen permanent positions	1,827,080 00
1714-00	Gardner state hospital, including not more than four hundred and twenty-two permanent positions	2,039,200 00
1714-21	For the replacement of a steam line from the power house to the Birch Cottage, prior appropriation continued.	
1714-23	For certain renovations to the administration building, appropriation expires June thirtieth, nineteen hundred and fifty-six	8,500 00
1715-00	Grafton state hospital, including not more than five hundred and thirty-seven permanent positions	2,447,885 00
1715-22	For the replacement of certain steam lines, to be in addition to the amount appropriated in item 7717-13 of section two of chapter seven hundred and fifty-six of the acts of nineteen hundred and fifty-one, appropriation expires June thirtieth, nineteen hundred and fifty-six	50,000 00
1715-23	For the renovation of the heating system in Elms A and Pines D, to be in addition to the amount appropriated in item 7717-16 of section two of chapter seven hundred and fifty-six of the acts of nineteen hundred and fifty-one, appropriation expires June thirtieth, nineteen hundred and fifty-six	35,000 00
1716-00	Medfield state hospital, including not more than five hundred and twenty-eight permanent positions	2,244,830 00
1716-21	For certain additions and alterations to the kitchen, including the cost of furnishings	

Item		
	and equipment, prior appropriation continued.	
1716-22	For the construction of a hay barn, including the cost of furnishings and equipment, prior appropriation continued.	
1717-00	Metropolitan state hospital, including not more than five hundred and seventy permanent positions	\$2,532,740 00
1718-00	Northampton state hospital, including not more than five hundred and twenty-nine permanent positions	2,620,729 00
1719-00	Taunton state hospital, including not more than five hundred and twenty-seven permanent positions	2,507,545 00
1719-21	For certain plumbing renovations, prior appropriation continued.	
1719-22	For the renovation of certain exterior walls at the colonies, prior appropriation continued.	
1720-00	Westborough state hospital, including not more than six hundred and thirty-three permanent positions and including a certain claim of Charles F. DeWolfe, motor truck driver, for the years nineteen hundred and forty-nine, nineteen hundred and fifty and nineteen hundred and fifty-one, not to exceed two hundred and seventy-one dollars and seventy-one cents	2,787,508 00
1720-23	For certain plumbing renovations, prior appropriation continued.	
1721-00	Worcester state hospital, including not more than six hundred and eighty-three permanent positions	3,078,744 00
1722-00	Monson state hospital, including not more than five hundred and six permanent positions; provided, that the sum of twenty-five thousand dollars shall be used for the purpose of equipping and maintaining a physical therapy department at said hospital	2,275,980 00
1722-21	For the construction and equipment of a playground at the Children's Colony, prior appropriation continued.	
1723-00	Belchertown state school, including not more than three hundred and eighty-two permanent positions	1,816,739 00
1724-00	Walter E. Fernald state school, including not more than seven hundred and fifty-eight permanent positions	3,247,358 00
1724-21	For certain plumbing renovations, prior appropriation continued.	
1725-00	Wrentham state school, including not more than five hundred and fourteen permanent positions	2,379,900 00
1725-22	For the renovation of certain hot water supply lines, appropriation expires June thirtieth, nineteen hundred and fifty-six	12,000 00
1726-00	Myles Standish state school, including not more than five hundred permanent positions	2,243,990 00
Total		<u>\$41,921,166 00</u>
Total, Department of Mental Health		<u><u>\$43,270,387 00</u></u>

Service of the Department of Correction.

Item		
1801-01	For the salary of the commissioner	\$8,000 00
1801-02	For administration, including not more than forty-three permanent positions; provided, that the persons employed under the divi- sion of classification of prisoners shall not be subject to the civil service laws and rules	211,200 00
1801-05	For the operation of prison camps, as author- ized by chapter seven hundred and fifty- five of the acts of nineteen hundred and fifty-one, including not more than twenty- four permanent positions	190,600 00
Non-Contributory Pensions:		
1801-21	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired, prior ap- propriation continued	58,000 00
	Total	<u>\$467,800 00</u>

Parole Board.

1805-01	For the service of the board, including not more than thirty-nine permanent positions	\$205,645 00
	<i>For the maintenance of and for certain improve- ments at the following institutions under the control of the department of correction:</i>	
1810-01	State farm, including not more than four hun- dred and forty-six permanent positions . .	2,351,115 00
1812-01	State prison, including not more than one hundred and sixty-four permanent posi- tions	1,053,030 00
1814-01	Massachusetts reformatory, including not more than two hundred and nineteen per- manent positions	1,196,905 00
1816-01	Reformatory for women, including not more than one hundred and thirty-eight perma- nent positions	704,715 00
1816-23	For the renovation of the electrical distribu- tion system, appropriation expires June thirtieth, nineteen hundred and fifty-six .	11,000 00
1818-01	State prison colony, including not more than two hundred and thirty-four permanent positions	1,331,410 00
1818-21	For certain improvements and repairs to the guard towers and prison wall, prior appro- priation continued, appropriation expires June thirtieth, nineteen hundred and fifty- six	16,000 00
	Total	<u>\$6,664,175 00</u>
	Total, Department of Correction . .	<u><u>\$7,337,620 00</u></u>

Service of the Department of Public Welfare.

1901-01	For the salary of the commissioner	\$10,000 00
1901-03	For administration of the program of old age assistance provided by chapter one hun- dred and eighteen A of the General Laws,	

Item		
1901-04	and for the office of the commissioner and expenses of the department of public welfare, including not more than five hundred and forty-seven permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of seven hundred and twenty-five thousand two hundred and eighty-five dollars from the Old Age Assistance Fund; and, further provided, that any revenue resulting from the administration of old age assistance shall be credited to the Old Age Assistance Fund For administrative cost of a program for total and permanent disability assistance and for payments made in accordance with section three of chapter one hundred and eighteen D of the General Laws	\$2,417,615 00 110,000 00
	Total	\$2,537,615 00

Division of Child Guardianship.

1906-04	For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued	\$3,350,000 00
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Massachusetts Hospital School.

1918-00	For the maintenance of the Massachusetts hospital school, including not more than one hundred and ninety permanent positions	\$847,680 00
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Tewksbury State Hospital and Infirmary.

1919-00	For the maintenance of the Tewksbury state hospital and infirmary, including not more than seven hundred and seven permanent positions	\$3,121,534 00
1919-34	For the centennial celebration at Tewksbury state hospital and infirmary	1,000 00
	Total	\$3,122,534 00
	Total, Department of Public Welfare	\$9,857,829 00

Service of the Department of Public Health.*Bureau of Administration.*

2001-01	For the salary of the commissioner	\$12,500 00
2001-02	For the service of the division of administration, including not more than forty-two permanent positions	193,424 00
	Total	\$205,924 00

Bureau of Institutions.

2010-01	For the service of the division of tuberculosis and sanatoria, including not more than twenty-eight permanent positions	\$166,730 00
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Item		
2010-02	For the commonwealth's share of the operation of certain tuberculosis clinics . . .	\$17,000 00
2010-10	For the service of the division of biologic laboratories, including not more than one hundred and nine permanent positions . . .	572,265 00
2010-30	For the service of the division of hospitals, including not more than seventeen permanent positions . . .	100,231 00
2010-40	For the service of the division of chronic diseases, including not more than seventeen permanent positions . . .	182,640 00
2010-60	For a heart disease control program . . .	15,000 00
Total		\$1,053,866 00

Bureau of Environmental Sanitation.

2015-01	For the service of the bureau, including not more than one hundred permanent positions . . .	\$537,540 00
2015-25	For certain studies, as authorized by chapters thirty-nine, forty, forty-one and sixty-seven of the resolves of nineteen hundred and fifty-three, prior appropriation continued . . .	7,000 00
Total		\$544,540 00

Bureau of Preventive Medicine.

2020-01	For the service of the division of preventive medicine, including not more than fifty-two permanent positions . . .	\$355,710 00
2020-10	For the service of the division of communicable diseases, including not more than seventeen permanent positions . . .	414,041 00
2020-30	For the operation of alcoholic clinics in the out-patient departments of certain general hospitals . . .	134,960 00
Total		\$904,711 00

For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:

2022-00	Lakeville state sanatorium, including not more than two hundred and twenty-seven permanent positions . . .	\$936,687 00
2023-00	North Reading state sanatorium, including not more than two hundred and two permanent positions . . .	834,000 00
2023-23	For the replacement of a certain hot water tank . . .	11,000 00
2023-24	For the replacement of the fire and boiler feed tanks, appropriation expires June thirtieth, nineteen hundred and fifty-six . . .	40,000 00
2024-00	Rutland state sanatorium, including not more than two hundred and forty-eight permanent positions . . .	1,037,113 00
2025-00	Westfield state sanatorium, including not more than two hundred and seventy-five permanent positions . . .	1,227,849 00

Item		
2025-23	For the razing of certain obsolete buildings and the relocation of certain steam mains, appropriation expires June thirtieth, nineteen hundred and fifty-six	\$20,000 00
2026-00	Lemuel Shattuck hospital, including not more than five hundred and seventy-four permanent positions	1,828,955 00
2031-00	Pondville hospital, including not more than two hundred and forty-five permanent positions	1,216,818 00
	Total	<u>\$7,152,422 00</u>
	Total, Department of Public Health	<u><u>\$9,861,463 00</u></u>

Service of the Department of Public Safety.

2101-01	For the salary of the commissioner	\$10,000 00
2101-02	For administration, including not more than eighty-two permanent positions	337,012 00
	Total	<u>\$347,012 00</u>

Division of State Police.

2102-04	For expert assistance to the commissioner, and for maintenance of laboratories, including not more than ten permanent positions	\$51,115 00
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Division of Fire Prevention.

2103-01	For the fire prevention service, including not more than twenty-five permanent positions	\$163,345 00
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Division of Inspection.

2104-01	For administration, including not more than one permanent position	\$9,280 00
2104-11	For the building inspection service, including not more than thirty-three permanent positions	192,250 00
2104-21	For the boiler inspection service, including not more than twenty-five permanent positions	150,875 00
2104-31	For the board of boiler rules, including not more than four permanent positions	1,600 00
	Total	<u>\$354,005 00</u>

State Boxing Commission.

2105-11	For the service of the commission, including not more than five permanent positions	\$25,670 00
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Board of Standards.

2106-01	For the service of the board, including not more than seven permanent positions	\$4,400 00
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Board of Elevator Regulations.

2107-01	For the service of the board, including not more than seven permanent positions	\$4,605 00
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Board of Fire Prevention Regulations.

Item		
2108-01	For the service of the board, including not more than six permanent positions . . .	\$3,650 00
	Total, Department of Public Safety . . .	<u>\$953,802 00</u>

Service of the Department of Public Works.

Division of Waterways.

2202-03	For administration, including not more than fifty-nine permanent positions; provided, that an amount equal to the expenditures for personal services properly chargeable to item 2202-05, as certified by the director of the division, shall be credited as revenue to the General Fund; and, provided further, that the effective date of the appointee on requisition number 47037 is hereby changed to March twenty-seventh, nineteen hundred and fifty-three; and, provided further, that employees holding positions under chapter thirty-one of the General Laws whose positions are transferred to the division shall be transferred without loss of seniority, retirement, civil service or other rights; and, provided further, that the incumbent of the position on requisition number 47950 shall be transferred to the division upon the effective date of this act and shall be deemed to be permanently employed as general construction inspector under chapter thirty-one of the General Laws without being required to serve any probationary period . . .	\$284,930 00
2202-05	For the improvement, development, maintenance and protection of rivers, harbors, tidewaters and foreshores within the commonwealth, as authorized by section eleven of chapter ninety-one of the General Laws; and of great ponds; prior appropriation continued; provided, that all expenditures for work undertaken hereunder, excepting the entire cost of the surveys and the preparation of preliminary plans, shall be upon condition that at least fifty per cent of the cost is covered by contributions from municipalities or other organizations and individuals, except that in the case of dredging channels for harbor improvements at least twenty-five per cent of the cost shall be so covered; and, provided further, that the department of public works is hereby authorized to enter and construct on private land such works as may be necessary to secure and protect sea walls already built . . .	100,000 00
2202-06	For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions . . .	8,560 00
2202-07	For the operation and maintenance of the New Bedford state pier, including not more than nine permanent positions . . .	25,760 00

Item		
2202-09	For the maintenance of structures and for repairing damages along the coast line or river banks of the commonwealth, and for the removal of wrecks and other obstructions from tidewaters and great ponds; and for the improvement, development, maintenance and protection of rivers, harbors, tidewaters and foreshores within the commonwealth as authorized by section eleven of chapter ninety-one of the General Laws, and of great ponds; provided, that no contributions from municipalities or other organizations and individuals shall be required, prior appropriation continued.	
2202-20	For the care and maintenance of the province lands and of the lands acquired and structures erected by the Provincetown tercentenary commission, including not more than five permanent positions . . .	\$15,025 00
2202-21	For the compensation of dumping inspectors . . .	200 00
2220-21	For the continuation of a survey of the great ponds of the commonwealth, including the rights of way thereto, as authorized by chapter twenty-eight of the resolves of nineteen hundred and fifty-one, prior appropriation continued, expires June thirtieth, nineteen hundred and fifty-six . . .	15,000 00
Total, Department of Public Works . . .		<u>\$449,475 00</u>

Service of the Department of Public Utilities.

2301-01	For personal services of the commissioners, including not more than five permanent positions . . .	\$46,500 00
2301-02	For administration, including not more than seventy permanent positions . . .	379,035 00
2301-09	For hearings and special investigations; provided, that no salaries or expenses of permanent employees shall be chargeable to this item . . .	30,000 00
2301-11	For the administration of certain rules and regulations, as authorized by section seventy-five E of chapter one hundred and sixty-four of the General Laws, pertaining to the construction and operation of natural gas pipe lines in the commonwealth . . .	10,000 00
2301-24	For personal services and expenses of an investigation of the New England Telephone and Telegraph Company, as authorized by chapter one hundred and twelve of the acts of nineteen hundred and fifty-three, prior appropriation continued.	
Total		<u>\$465,535 00</u>

Commercial Motor Vehicle Division.

2304-01	For the service of the division, including not more than thirty-two permanent positions . . .	\$166,595 00
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Securities Division.

Item		
2308-01	For the service of the division, including not more than nine permanent positions . . .	\$43,435 00
	Total, Department of Public Utilities . . .	<u>\$675,565 00</u>

Annuities and Payments.

2805-01	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves . . .	\$14,100 00
2805-02	For payment of any claims, as authorized by sections eighty-nine and eighty-nine A of chapter thirty-two of the General Laws, for allowances to the families of certain employees killed or fatally injured in the discharge of their duties . . .	16,300 00
	Total, Annuities and Payments . . .	<u>\$30,400 00</u>

Non-Contributory Pensions.

2811-02	For the compensation of veterans who may be retired by the governor under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, and for the cost of medical examinations in connection therewith . . .	\$1,300,000 00
	Total, Non-Contributory Pensions . . .	<u>\$1,300,000 00</u>

Miscellaneous.

2820-02	For the payment, with the approval of the comptroller, of expenses for which no funds or insufficient funds were allotted or reserved; provided, that such expenses were not in excess of the appropriation account . . .	\$25,000 00
2820-06	For reimbursement of persons for funds previously deposited in the treasury of the commonwealth and escheated to the commonwealth . . .	5,000 00
	Total, Miscellaneous . . .	<u>\$30,000 00</u>

APPROPRIATIONS MADE FROM THE HIGHWAY FUND.

Service of the Department of Public Works.

Highway Activities.

Expenditures made from the following appropriations for highway activities shall be coded according to the manual entitled "Subsidiary Accounts and Expenditure Code Numbers" approved by the Joint Committee on Ways and Means on March second, nineteen hundred and fifty-four:

2900-01	For the salaries of the commissioner and the associate commissioners, including not more than three permanent positions . . .	\$31,000 00
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Item		
2900-02	For administration and engineering in connection with all highway activities, for the offices of the commissioner, department secretary, personnel officer and business agent, including telephone service in the public works building; and for the payment of damages caused by defects in state highways, with the approval of the attorney general and including not more than one thousand four hundred and ninety-four permanent positions, partly chargeable to this item and to other highway activity accounts as determined by the commissioner; provided, that the incumbent on requisition number 45636 shall have permanent status under chapter thirty-one of the General Laws, as supervisor of motor pool, subject to his passing a qualifying examination, prior appropriation continued	\$8,500,000 00
2900-04	For the maintenance and repair of state highways and bridges, traffic signs and signals, including traffic safety devices on town and city ways as the department may deem necessary; for work for which the Highway Fund is reimbursed other than work in connection with the projects included in federal aid programs; and for the purchase, construction and repair of shelters for departmental equipment and material, the cost of which is less than ten thousand dollars for each project, and including not more than one thousand two hundred and ninety-four permanent positions, prior appropriation continued	8,700,000 00
2900-08	For the cost of snow and ice control on state highways, including the removal of sand and other additional expenses in connection therewith	4,000,000 00
2900-26	For the construction of a certain footbridge as authorized by chapter five hundred and twenty-six of the acts of nineteen hundred and fifty-two	30,000 00
2900-28	For the construction of a certain footbridge, as authorized by chapter six hundred and thirty-two of the acts of nineteen hundred and fifty-one, prior appropriation continued	375 00
2900-38	For expenses in connection with research and investigational work to be done on a co-operative basis with the Massachusetts Institute of Technology, appropriation expires June thirtieth, nineteen hundred and fifty-six	30,000 00
2900-55	The existence of the public works stores and equipment account, established by items 2900-50 and 2900-55 of section two of chapter sixty-eight of the acts of nineteen hundred and forty-three, is hereby continued for the year nineteen hundred and fifty-five under the terms and conditions prescribed by said items of said chapter sixty-eight; provided, that the total amount to be expended for capital outlay for the purchase of equipment from this	

Item		
	account in the year nineteen hundred and fifty-five shall not exceed one million dollars.	
2900-61	For the compensation of former employees of the department of public works, now retired, as authorized by chapter four hundred and three of the acts of nineteen hundred and forty-eight, as amended by chapter four hundred and forty-one of the acts of nineteen hundred and fifty-three . . .	\$35,500 00
2900-80	For the operation and maintenance of the public works building, including not more than eighty-four permanent positions . . .	371,570 00
	Total, Department of Public Works . . .	<u>\$21,698,445 00</u>

Service of the Registry of Motor Vehicles.

2924-01	For the service of the registry, including not more than eight hundred and thirty permanent positions, and to authorize charging against this appropriation a shortage in the amount of one thousand three hundred and twenty-seven dollars and forty-seven cents, determined by the auditor of the commonwealth to be the net shortage in the "over and short account" for the period from January first, nineteen hundred and thirty-nine, to July first, nineteen hundred and fifty-three . . .	\$4,512,550 00
	Total, Registry of Motor Vehicles . . .	<u>\$4,512,550 00</u>

Service of the Department of Public Safety.

Division of State Police.

2926-01	For the service of the division, including not more than five hundred and thirty-three permanent positions . . .	\$2,962,162 00
2926-11	For the compensation of state police officers formerly in the service of the commonwealth, now retired . . .	53,980 00
	The comptroller is hereby authorized to transfer to the Highway Fund the sum of seven hundred and fifty-four thousand thirty-six dollars from the General Fund and the sum of thirty thousand dollars from the Old Age Assistance Fund on account of the above two items.	
	Total, Department of Public Safety . . .	<u>\$3,016,142 00</u>

Service of the Metropolitan District Commission.

The following items are to be paid with the approval of the Metropolitan District Commission:

2931-01	For general administration, including not more than sixty-five permanent positions; provided, that the comptroller shall transfer to the Highway Fund seventy-five per cent of the cost of payments made under	
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Item		
	this item from the Metropolitan District Commission Funds, to be assessed by methods fixed by law	\$315,590 00
2931-06	For the maintenance of boulevards and parkways, including the installation of traffic lights and including Bunker Hill and the property adjacent, and for the maintenance of parks reservations and the Charles River basin, including the retirement of metropolitan police and veterans under the provisions of the General Laws, and including not more than nine hundred and thirteen permanent positions; provided, that the comptroller shall transfer to the Highway Fund proportions of payments made under this item, as provided by section fifty-five of chapter ninety-two of the General Laws	5,531,200 00
	Total, Metropolitan District Commission	<u>\$5,846,790 00</u>

APPROPRIATIONS MADE FROM THE PORT OF BOSTON FUND.

Service of the Port of Boston Commission.

3140-01	For expenses of administration, including not more than thirty-nine permanent positions; provided, that no compensation or expenses of consultants for legal services shall be chargeable to this item	\$218,905 00
3150-01	For the operation and maintenance of property under the control of the authority, including not more than seventy permanent positions	310,845 00
	Total, Port of Boston Commission	<u>\$529,750 00</u>

APPROPRIATIONS MADE FROM THE INLAND FISHERIES AND GAME FUND.

Service of the Department of Natural Resources.

Division of Fisheries and Game. (It is hereby provided that federal funds received as reimbursements under the following items are to be credited as income to the Inland Fisheries and Game Fund):

3304-01	For the service of the division, including not more than ten permanent positions	\$97,210 00
3304-06	For expenses of the board, as authorized by chapter twenty-one of the General Laws	2,500 00
3304-31	For expenses of game farms and fish hatcheries, including not more than twenty-seven permanent positions	514,651 00
3304-42	For the improvement and management of lakes, ponds and rivers, including not more than three permanent positions	86,950 00
3304-43	This item included in item 3304-01.	
3304-44	For the contribution of the department of natural resources towards a wild life co-operative research project, in accordance	

Item		
	with a contract with the federal government, to be expended by the University of Massachusetts	\$6,250 00
3304-45	For the establishment and maintenance of public fishing grounds, including not more than one permanent position; provided, that none of the money appropriated under this item shall be used for the purchase of land	7,060 00
3304-47	For certain stream surveys and inventory work, as authorized by chapter two hundred and seven of the acts of nineteen hundred and fifty-one, including not more than one permanent position; provided, that the comptroller shall transfer to the Inland Fisheries and Game Fund the sum of six thousand dollars from the General Fund	45,028 00
3304-51	For wild life research and management, including not more than seven permanent positions	92,737 00
3304-53	For expenses of establishing and conducting wild life restoration projects, as authorized by chapter three hundred and ninety-two of the acts of nineteen hundred and thirty-eight, including not more than six permanent positions	152,617 00
3304-56	For a biological survey of the streams and waters of the commonwealth	5,000 00
	Total	<u>\$1,010,003 00</u>

Division of Law Enforcement.

3308-05	For the payment of damages caused by wild deer and wild moose, prior appropriation continued, including not more than one permanent position	\$7,580 00
3308-07	For the supervision of public fishing and hunting grounds	8,700 00
	Total	<u>\$16,280 00</u>
	Total, Department of Natural Resources	<u><u>\$1,026,283 00</u></u>

APPROPRIATIONS MADE FROM THE VETERANS' SERVICES FUND.

Service of the Commissioner of Veterans' Services.

3501-01	For personal services of the commissioner and deputies, including not more than three permanent positions	\$18,580 00
3501-02	For the office of the commissioner, including not more than seventy-three permanent positions	335,210 00
3501-03	For the payment of annuities to certain disabled war veterans, as authorized by sections six A to six C, inclusive, of chapter one hundred and fifteen of the General Laws, prior appropriation continued	60,000 00
	Total, Commissioner of Veterans' Services	<u><u>\$413,790 00</u></u>

Service of the Adjutant General.

Item		
3504-21	For the operation of the war records project, so called	\$23,200 00
3504-25	For expenses of the United Spanish War veterans, as authorized by section sixteen of chapter thirty-three of the General Laws .	1,500 00
Total, Adjutant General		<u>\$24,700 00</u>

Service of the Soldiers' Home in Massachusetts.

3506-01	For the maintenance of the Soldiers' Home in Massachusetts, including not more than five hundred and sixty-seven permanent positions	\$2,580,670 00
3506-24	For the conversion of the former nurses' home into a male employees' dormitory, including the cost of furnishings and equipment, prior appropriation continued.	
3506-40	For the expense of acquiring certain land in Chelsea, as authorized by chapter five hundred and fifty-one of the acts of nineteen hundred and fifty-three, prior appropriation continued.	
Total, Soldiers' Home in Massachusetts		<u>\$2,580,670 00</u>

Service of the Soldiers' Home in Holyoke.

3508-01	For the maintenance of the Soldiers' Home in Holyoke, including not more than eighty-four permanent positions	\$846,660 00
Total, Soldiers' Home in Holyoke		<u>\$846,660 00</u>

Service of the State Housing Board.

3510-01	For the service of the board, including not more than fourteen permanent positions; provided, that all compensation and expenses for legal services shall be by direction and under the control of the attorney general	\$329,120 00
Total, State Housing Board		<u>\$329,120 00</u>

Service of the Veterans' Bonus Commission.

3511-01	For personal services and other expenses of the commission in connection with the payment of the veterans' bonus, so-called, as authorized by chapter four hundred and forty of the acts of nineteen hundred and fifty-three; provided, that requisitions for persons to be employed under the provisions of this item shall be issued under the provisions of chapter thirty for periods not to exceed six months and may from time to time be renewed for like periods	\$187,300 00
Total, Veterans' Bonus Commission		<u>\$187,300 00</u>

Service of the Department of the Treasurer and Receiver-General.

Item	
3512-05	This item omitted.
3512-13	For making payments to soldiers in recognition of service during World War I and the Spanish War, as provided by law
	\$750 00
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	Total, Department of the Treasurer and Receiver-General
	\$750 00
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Service of the Department of the Auditor.

3513-01	For an audit of certain housing authorities, as authorized by chapter six hundred and eighty-two of the acts of nineteen hundred and forty-nine	\$73,450 00
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	Total, Department of the Auditor	\$73,450 00
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Service of the Department of the Attorney General.

3514-01	For the cost of providing certain legal assistance for the benefit of veterans, their wives and dependents	\$24,000 00
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	Total, Department of the Attorney General	\$24,000 00
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Service of the Department of Education.

3516-01	For assistance to children of certain war veterans, prior appropriation continued, as authorized by section seven B of chapter sixty-nine of the General Laws and corresponding provisions of earlier laws	\$90,000 00
3516-22	For certain educational services to certain war veterans	116,955 00
	<hr/>	
	Total, Department of Education	\$206,955 00
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Service of the Department of Labor and Industries.

Division of Apprentice Training.

3520-01	For the service of the division, including not more than twenty-nine permanent positions; provided, that all of the positions of this division, with the exception of the head clerk, shall not be subject to chapter thirty-one of the General Laws; and, provided further, that the comptroller shall transfer to the Veterans' Services Fund the sum of eighty thousand two hundred dollars from the General Fund	\$160,398 00
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	Total, Department of Labor and Industries	\$160,398 00
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Miscellaneous.

Item		
3549-00	For repayments to claimants, as authorized by section four of chapter five hundred and twenty-three of the acts of nineteen hundred and fifty	\$1,000 00
	Total, Miscellaneous	<u>\$1,000 00</u>

**APPROPRIATIONS PAYABLE FROM REVENUE CREDITED
TO THE OLD AGE ASSISTANCE FUND.**

Service of the Department of Public Welfare.

3601-20	For payments on account of old age assistance grants made in accordance with section one C of chapter one hundred and eighteen A of the General Laws	\$100,000 00
	Total, Department of Public Welfare	<u>\$100,000 00</u>

Service of the Alcoholic Beverages Control Commission.

3604-01	For the service of the commission, including not more than sixty-five permanent positions	\$336,080 00
	Total, Alcoholic Beverages Control Commission	<u>\$336,080 00</u>

Service of the State Racing Commission.

3605-01	For the service of the commission, including not more than eleven permanent positions; provided, that fees paid to veterinarians for services in connection with horse racing shall not exceed twenty-five dollars per diem, and in connection with dog racing, shall not exceed twenty dollars per diem	\$168,920 00
	Total, State Racing Commission	<u>\$168,920 00</u>

**APPROPRIATION PAYABLE FROM THE AGRICULTURAL
PURPOSES FUND.**

Service of the Department of Agriculture.*Division of Plant Pest Control and Fairs.*

3809-21	For state prizes and agricultural exhibits, including allotment of funds for the 4-H activities, including not more than one permanent position	\$85,760 00
	Total, Department of Agriculture	<u>\$85,760 00</u>

APPROPRIATIONS PAYABLE FROM THE MOSQUITO CONTROL FUND.

Service of the State Reclamation Board.

Item		
3901-00	For the maintenance and construction of drainage ditches, as authorized by chapter three hundred and seventy-nine of the acts of nineteen hundred and thirty, as amended by section one of chapter two hundred and fifty of the acts of nineteen hundred and thirty-five, to be assessed in the calendar year nineteen hundred and fifty-four	\$63,950 00
3915-00	For the maintenance and construction of drainage ditches, as authorized by chapter four hundred and fifty-six of the acts of nineteen hundred and forty-five, as amended by chapter seven hundred and thirty-four of the acts of nineteen hundred and fifty, to be assessed in the calendar year nineteen hundred and fifty-four	53,862 00
Total, State Reclamation Board		<u>\$117,812 00</u>

APPROPRIATIONS PAYABLE FROM THE PARKS AND SALISBURY BEACH RESERVATION FUND.

Service of the Department of Natural Resources.

Division of Forests and Parks.

4010-01	For the service of the bureau of recreation, including not more than twenty-six permanent positions; provided, that the comptroller shall transfer to the Parks and Salisbury Beach Reservation Fund the sum of fifty-one thousand dollars from the General Fund	\$422,491 00
4010-08	For the construction of a ski tow on Mount Grace and for related expenses, as authorized by chapter six hundred and sixty-two of the acts of nineteen hundred and fifty, prior appropriation continued, appropriation expires June thirtieth, nineteen hundred and fifty-six	15,000 00
Total, Department of Natural Resources		<u>\$437,491 00</u>

Service of the Department of Public Works.

4050-01	For the service of the division of public beaches, including not more than two permanent positions	\$15,190 00
4050-02	For the maintenance of Salisbury beach reservation, including not more than three permanent positions	155,730 00
4050-03	For the operation of the bathhouse and services connected therewith at the province lands	38,480 00
Total, Department of Public Works		<u>\$209,400 00</u>

APPROPRIATION PAYABLE FROM THE SMOKE INSPECTION FUND.

Service of the Department of Public Utilities.

Division of Smoke Inspection.

Item		
4311-01	For the service of the division, including not more than nine permanent positions . . .	\$44,875 00
	Total, Department of Public Utilities . . .	<u>\$44,875 00</u>

APPROPRIATIONS PAYABLE FROM THE PRISON INDUSTRIES FUND.

Service of the Department of Correction.

4901-01	For salaries of persons employed in the department of correction in certain supervisory and administrative work in prison industries, including not more than seven permanent positions; provided, that of the amount herein appropriated, the proportions properly chargeable to the prison industries fund at the Massachusetts reformatory, the reformatory for women, the state prison and the state prison colony shall be determined by the comptroller . . .	\$39,060 00
4910-02	For salaries of persons employed in industries at the Massachusetts reformatory, including not more than twenty-seven permanent positions . . .	114,230 00
4920-02	For salaries of persons employed in industries at the reformatory for women, including not more than twelve permanent positions . . .	48,745 00
4930-02	For salaries of persons employed in industries at the state prison, including not more than twenty-five permanent positions . . .	102,050 00
4940-02	For salaries of persons employed in industries at the state prison colony, including not more than twenty-seven permanent positions . . .	116,770 00
	Total, Department of Correction . . .	<u>\$420,855 00</u>

APPROPRIATIONS PAYABLE FROM THE METROPOLITAN DISTRICT COMMISSION FUNDS.

The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:

Metropolitan Parks, General.

8601-27	For certain payments for the use of facilities of the museum of science . . .	\$50,000 00
	Item 8602-19 of chapter eight hundred and six of the acts of nineteen hundred and fifty-one is hereby reappropriated and	

Item

amended by adding after the word "maintain", in the fifth line of said item, the following words: ", and for improvements in said park".

8602-37 For the expenses of holding band concerts . \$25,000 00

Total, Metropolitan Parks, General . \$75,000 00

Metropolitan Sewerage, North System.

8702-00 For the maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, including retirement of veterans under the provisions of the General Laws, and including not more than three hundred and seventeen permanent positions for the north and south systems, partly chargeable to this item and to item 8807-00 . \$1,016,000 00

Total, Metropolitan Sewerage, North System . \$1,016,000 00

Metropolitan Sewerage, South System.

8807-00 For the maintenance and operation of the system of sewage disposal for the south metropolitan sewerage district, including retirement of veterans under the provisions of the General Laws, and including certain permanent positions as enumerated in item 8702-00 . \$1,007,000 00

Total, Metropolitan Sewerage, South System . \$1,007,000 00

Metropolitan Water System.

8902-00 For the maintenance and operation of the metropolitan water system, including the retirement of veterans under the provisions of the General Laws and including not more than five hundred and eighty-six permanent positions . \$2,765,000 00

8902-34 For the construction of additions and improvements to certain supply and distribution mains, prior appropriation continued, expires June thirtieth, nineteen hundred and fifty-six . 200,000 00

8902-38 For the replacement of certain water meter registers, prior appropriations continued, expires June thirtieth, nineteen hundred and fifty-six . 19,000 00

8902-55 For certain improvements to pumping facilities, Spot Pond Station . 50,000 00

Total, Metropolitan Water System . \$3,034,000 00

LOCAL AID APPROPRIATIONS.

(Note item numbers for Local Aid appropriations changed from House, No. 1.)

The following appropriations are for reimbursements and grants to local governments:

APPROPRIATIONS MADE FROM THE GENERAL FUND.**Service of the Judiciary.***Superior Court.*

Item		
2603-01	For reimbursing certain counties for compensation of certain special justices for services in holding sessions of district courts in place of the justice, while sitting in the superior court, prior appropriation continued	\$6,000 00

Suffolk County Court House.

2603-02	For reimbursing the city of Boston for thirty per cent of the cost of maintenance of the Suffolk county court house, as provided by and subject to the conditions of section six of chapter four hundred and seventy-four of the acts of nineteen hundred and thirty-five, prior appropriation continued; provided, that this appropriation shall not be construed as fixing the specific amount for which the commonwealth shall be liable on account of said maintenance	180,000 00
Total, Judiciary		<u>\$186,000 00</u>

Boards and Commissions serving under Governor and Council.*Rent Control Agency.*

2604-01	For the reimbursement of cities and towns, as provided by section four of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-three, prior appropriation continued	\$150,000 00
Total, Boards and Commissions serving under Governor and Council		<u>\$150,000 00</u>

Service of the Department of Agriculture.*Division of Livestock Disease Control.*

2609-01	For the reimbursement of certain towns for compensation paid to inspectors of animals, prior appropriation continued	\$5,000 00
Total, Department of Agriculture		<u>\$5,000 00</u>

Service of the Department of Natural Resources.

Division of Forests and Parks.

Item		
2610-01	For aiding towns in the purchase of equipment for extinguishing forest fires, as provided by section eleven of chapter forty of the General Laws, prior appropriation continued	\$1,000 00
2610-02	For reimbursement to certain towns for extinguishing forest fires, prior appropriation continued	1,000 00
2610-03	For the reimbursement to cities and towns of a proportion of their expenses for the suppression of insect pests, as provided by law	5,000 00
Total		<u>\$7,000 00</u>

Division of Marine Fisheries.

2610-04	For the reimbursement to certain coastal cities and towns of a part of the cost of projects for the propagation of shellfish, as authorized by section twenty of chapter one hundred and thirty of the General Laws; provided, that the expenditure by said cities and towns of funds herein provided shall not be subject to appropriation as required by section fifty-three of chapter forty-four of the General Laws, prior appropriation continued	\$12,500 00
2610-05	For the reimbursement to certain coastal cities and towns of a part of the cost of projects for the suppression of enemies of shellfish, as authorized by section twenty of chapter one hundred and thirty of the General Laws; provided, that the expenditure by said cities and towns of funds herein provided shall not be subject to appropriation as required by section fifty-three of chapter forty-four of the General Laws	7,500 00
2610-06	For bounties on seals	400 00
Total		<u>\$20,400 00</u>
Total, Department of Natural Resources		<u><u>\$27,400 00</u></u>

Service of the Department of Corporations and Taxation.

Reimbursement for Loss of Taxes.

2612-01	For reimbursing cities and towns for loss of taxes on land used for state institutions and certain other state activities, as certified by the commissioner of corporations and taxation for the calendar year nineteen hundred and fifty-four, and for the reimbursement of certain towns as authorized by section seventeen B of chapter fifty-eight of the General Laws; provided, that the commissioner shall not include in any distribution under this item any
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Item		
	amounts on account of land not included in such distributions prior to January one, nineteen hundred and fifty, unless specifically so authorized by legislative act, prior appropriation continued	\$600,000 00
2612-02	For the reimbursement of cities and towns for abatements granted, as provided by chapter five hundred of the acts of nineteen hundred and fifty-one, prior appropriation continued	30,000 00
	Total	\$630,000 00
	Total, Department of Corporations and Taxation	\$630,000 00

Service of the Department of Education.

2613-01	For reimbursement to cities and towns of a portion of the cost of a program for extended school services for certain children of certain employed mothers, as authorized by sections twenty-six A to twenty-six F, inclusive, of chapter seventy-one of the General Laws, prior appropriation continued	\$12,500 00
2613-02	For the reimbursement of certain cities and towns for sight saving classes, as provided by law	20,000 00
2613-03	For assisting small towns in providing themselves with school superintendents, as provided by law, prior appropriation continued	185,000 00
2613-04	For the reimbursement of certain towns for the transportation of pupils as provided by law; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax, prior appropriation continued	2,500,000 00
2613-05	For the reimbursement of certain cities and towns for a part of the expenses of maintaining agricultural and industrial vocational schools, as provided by law, prior appropriation continued	3,932,109 00
2613-06	For reimbursement of certain cities and towns for adult English-speaking classes, prior appropriation continued	90,000 00
2613-07	For the reimbursement of certain towns for the transportation of pupils, as authorized by section eight A of chapter seventy-four of the General Laws; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	79,489 00
	Total	\$6,819,098 00

School Building Assistance Commission.

2613-08	For reimbursement of certain cities and towns for part of the cost of construction of school projects, as authorized by chapter six hun-	
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Item

dred and forty-five of the acts of nineteen hundred and forty-eight as amended, prior appropriation continued; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax \$3,000,000 00

School Lunch and Commodity Distribution Program.

2613-09 For the reimbursement of cities and towns for partial assistance in the furnishing of lunches to school children, as authorized by chapter five hundred and thirty-eight of the acts of nineteen hundred and fifty-one; provided, that notwithstanding any provisions of law to the contrary, reimbursements so authorized to be paid from state funds shall not exceed fifty per cent of the total reimbursement authorized by the national school lunch act; and, further provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax . . . \$1,160,000 00

Education of Deaf and Blind Pupils.

2613-10 For the reimbursement of certain cities and towns for day classes of the deaf, as provided by section twenty-eight of chapter sixty-nine of the General Laws . . . \$35,000 00

Teachers' Retirement Board.

2613-11 For reimbursement of certain cities and towns for pensions to retired teachers, prior appropriation continued . . . \$1,333,800 00

Youth Service Board.

2613-12 For reimbursement of cities and towns for tuition of children attending the public schools, prior appropriation continued . . . \$12,000 00

Total, Department of Education . . . \$12,359,898 00

Service of the Department of Public Welfare.

2619-01 For the payment of suitable aid to certain dependent children, prior appropriation continued . . . \$5,800,000 00
 2619-02 For the burial by cities and towns of indigent persons who have no legal settlement, prior appropriation continued . . . 25,000 00
 2619-03 For expenses in connection with smallpox and other diseases dangerous to the public health, prior appropriation continued . . . 425,000 00
 2619-04 For the support of sick indigent persons who have no legal settlement, prior appropriation continued . . . 350,000 00
 2619-05 For temporary aid given by cities and towns to indigent persons with no legal settlement, and to shipwrecked seamen, and for

Division of Child Guardianship.

Service of the Department of Public Health.

2620-01	For the payment of subsidies for tubercular patients in certain hospitals, prior appropriation continued	\$460,000 00
	Total, Department of Public Health	\$460,000 00

Service of the Department of Public Works.

Expenditures made from the following appropriations for highway activities shall be coded according to the manual entitled "Subsidiary Accounts and Expenditure Code Numbers" approved by the Joint Committee on Ways and Means on March second, nineteen hundred and fifty-four:

2900-17 For projects for the construction and maintenance of town and county ways, as provided in subdivision two (a) of section thirty-four of chapter ninety of the General Laws; provided, that amounts made available by this item in any fiscal year shall be available for expenditure in the succeeding fiscal year; and, further provided, that not less than three hundred thousand dollars of the sum herein appropriated shall be available for maintenance projects on said town and county ways . \$6,000,000 00

Item

2900-18	For aiding cities and towns in the repair and improvement of public ways, as provided by section twenty-six of chapter eighty-one of the General Laws; except, that the state's contribution shall be at an annual rate not to exceed two hundred and seventy-five dollars per mile for the calendar year nineteen hundred and fifty-five, the provisions of chapter six hundred and eighty-nine of the acts of nineteen hundred and forty-five and chapter seven hundred and six of the acts of nineteen hundred and forty-nine notwithstanding; and, provided, that the amount appropriated for the purpose in any fiscal year shall be available for expenditure in the succeeding fiscal year .	\$2,600,000 00
	Total, Department of Public Works .	<u>\$8,600,000 00</u>

APPROPRIATIONS MADE FROM THE VETERANS' SERVICES FUND.

Service of the Commissioner of Veterans' Services.

3526-01	For reimbursing cities and towns for money paid for veterans' benefits, as provided in section six of chapter one hundred and fifteen of the General Laws, prior appropriation continued .	\$3,100,000 00
3526-02	For reimbursing cities and towns for money paid on account of war allowance, state and military aid and soldiers' relief to certain residents of the commonwealth and their dependents, as authorized by chapter eleven of the acts of the special session of nineteen hundred and forty-two, prior appropriation continued .	45,000 00
	Total, Commissioner of Veterans' Services .	<u>\$3,145,000 00</u>

Service of the State Housing Board.

3526-03	For reimbursement to certain cities and towns, as provided by chapter two hundred of the acts of nineteen hundred and forty-eight, as amended, prior appropriation continued .	\$2,750,000 00
3526-04	For reimbursement to certain cities and towns, as provided by chapter three hundred and seventy-two of the acts of nineteen hundred and forty-six, as amended, prior appropriation continued.	
	Total, State Housing Board .	<u>\$2,750,000 00</u>

Service of the Department of Education.

3526-05	For the payment of retirement assessments of teachers formerly in military or naval service, as authorized by section nine of	
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Item		
3526-06	chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as amended, prior appropriation continued. For reimbursements for certain educational services for certain war veterans . . .	<u>\$1,000 00</u>
	Total	<u>\$1,000 00</u>
	Total, Department of Education . . .	<u>\$1,000 00</u>

APPROPRIATIONS PAYABLE FROM REVENUE CREDITED
TO THE OLD AGE ASSISTANCE FUND.

Service of the Department of Public Welfare.

3626-01	For reimbursement to cities and towns for old age assistance, as provided by law; provided, that the sum appropriated in this item shall be in addition to the balance available in item 3601-20 of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three . . .	<u>\$33,000,000 00</u>
3626-02	Notwithstanding the provisions of section ten of chapter sixty-four B of the General Laws regulating payments from receipts under said chapter to cities and towns, heretofore made without appropriation, a sum not exceeding two million two hundred thousand dollars is hereby appropriated from the Old Age Assistance Fund for such payments, and the total amounts to be paid by the state treasurer on or before November twentieth, nineteen hundred and fifty-four, from the sum herein appropriated, shall be not less than one million three hundred fifty thousand dollars . . .	<u>2,200,000 00</u>
	Total, Department of Public Welfare . . .	<u>\$35,200,000 00</u>

DEBT SERVICE APPROPRIATIONS.

(Note item numbers for Debt Service appropriations changed
from House, No. 1.)

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Interest and Redemption of Debt.

2410-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amounts appropriated in items 2951-00, 3180-02 and 3590-02, prior appropriation continued . . .	<u>\$1,849,556 00</u>
2420-00	For certain serial bonds maturing, to be in addition to the amounts appropriated in items 2952-00 and 3180-01, prior appropriation continued . . .	<u>\$10,488,273 00</u>
	Total, Interest and Redemption of Debt	<u>\$12,337,829 00</u>

APPROPRIATIONS MADE FROM THE HIGHWAY FUND.

Interest and Redemption of Debt.	
Item	
2951-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amounts appropriated in items 2410-00, 3180-02 and 3590-02, prior appropriation continued
	\$2,670,030 00
2952-00	For certain serial bonds maturing, to be in addition to the amounts appropriated in items 2420-00 and 3180-01, prior appropriation continued
	12,081,180 00
Total, Interest and Redemption of Debt	
\$14,751,210 00	

APPROPRIATIONS MADE FROM THE PORT OF BOSTON FUND.

Interest and Redemption of Debt.	
3180-01	For certain serial bonds maturing, to be in addition to the amounts appropriated in items 2420-00 and 2952-00, prior appropriation continued
	\$781,045 00
3180-02	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amounts appropriated in items 2410-00, 2951-00 and 3590-02, prior appropriation continued
	210,185 00
Total, Interest and Redemption of Debt	
\$991,230 00	

APPROPRIATIONS MADE FROM THE VETERANS' SERVICES FUND.

Interest and Redemption of Debt.	
3590-02	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amounts appropriated in items 2410-00, 2951-00 and 3180-02, prior appropriation continued
	\$393,719 00
3590-03	This item omitted.
Total, Interest and Redemption of Debt	
\$393,719 00	

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and fifty-five certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and fifty-four, the unexpended balances of the items shown below are hereby reappropriated:

2900-10	2900-35	2900-43
2900-32	2900-36	2900-46
2900-33	2900-41	2900-91

SECTION 3. Wherever, in section two of this act, it is provided that transfers shall be made from a fund, account or receipts, of a specific sum, a percentage of payments, or a sum equivalent to payments, such transfers of a specific sum shall be made upon the effective date of this act, and all others shall be made quarterly unless otherwise provided; except, that at the close of a fiscal year, the amount equivalent to payments in a continuing account shall be construed to mean the amount of such appropriation.

SECTION 4. No moneys appropriated under this act shall be expended for reimbursement for the expenses of meals for persons while traveling within or without the commonwealth at the expense thereof, unless such reimbursement is in accordance with rules and rates which are hereby authorized to be established from time to time by the commission on administration and finance.

SECTION 5. The allowance to state employees for expenses incurred by them in the operation of motor vehicles owned by them and used in the performance of their official duties shall not exceed seven cents a mile.

No payment shall be made or obligation incurred for the garaging of any passenger vehicle owned by the commonwealth and operated by an employee thereof as transportation from his place or places of employment to the vicinity of his residence.

SECTION 6. Amounts included for permanent positions in sums appropriated in section two for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on ways and means, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the division of personnel and standardization, no part of sums so appropriated in section two shall be available for payment of salaries of any additional permanent position, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent position, notwithstanding any special or general act to the contrary; provided, that no vacancy occurring in any permanent position included in said schedules of permanent positions, excepting in the services of the legislature or the judiciary, or of institutions under the jurisdiction of the departments of mental health, correction, public welfare and public health, and the youth service board, the Soldiers' Home in Massachusetts and the Soldiers' Home in Holyoke, and excepting positions which are subject to appointment by the governor, with or without the consent of the council, may be filled in any manner without approval by the commission on administration and finance.

SECTION 7. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and fifty-five shall be available for the payment of such other forms of compensation as may be

due under existing statutes, or under the provisions of rules and regulations made in accordance with said statutes.

SECTION 8. All federal subventions and grants available to the commonwealth under any act of congress and not otherwise authorized to be received shall be paid into the treasury of the commonwealth; provided, however, that applications for such subventions and grants, and for transfers within such subventions and grants, shall be subject to the approval of the commission on administration and finance. All federal subventions and grants received by the commonwealth may be expended without specific appropriation if such expenditures are otherwise in accordance with law. All income, including federal subventions and grants, received by the commonwealth from or on account of veterans in payment for veterans' services, shall be credited to the veterans' services fund.

SECTION 9. Notwithstanding the provisions of section fifty-one of chapter thirty of the General Laws, or any other provision of law, the state purchasing agent is hereby authorized during the fiscal year nineteen hundred and fifty-five to incur liabilities and incidental expenses for the purchase of supplies, as provided by said section fifty-one, including material to be disposed of as surplus, so called, by the federal government through agencies of the federal government, in an amount not exceeding three hundred and fifty thousand dollars, in addition to any amount heretofore provided for the purpose, and the comptroller may certify for payment such incidental expenses and liabilities so incurred to an amount not exceeding three hundred and fifty thousand dollars, in addition to any amount heretofore provided for the purpose.

SECTION 10. No agency of the commonwealth receiving an appropriation under section two of this act shall make any expenditure for any document regularly printed, mimeographed or prepared in any other way, whether for outside or interdepartmental circulation unless publication of such document shall have been approved by the state purchasing agent.

SECTION 11. For the cost of meeting deficiencies arising in appropriation accounts as a result of salary adjustments authorized by law, the sum of one hundred thousand dollars is hereby appropriated. The governor, upon the recommendation of the commission on administration and finance, is hereby authorized to transfer from said sum to items of appropriation for the fiscal year nineteen hundred and fifty-five, which are available in whole or in part for personal services, such amounts as are necessary to meet said salary adjustments, to be in addition to amounts appropriated to said items of appropriation in section two of this act; and the governor, upon the recommendation of the commission on administration and finance, is further authorized to allocate such transfers to the several state or other funds to which such items of appropriation are charged.

SECTION 12. The wages paid to blind workers by the division of the blind in the department of education, as provided by section fourteen of chapter sixty-nine of the General Laws, shall be increased over the rate paid June thirtieth, nineteen hundred and fifty-four, at a rate of one hundred and fifty-four dollars per annum beginning July first, nineteen hundred and fifty-four.

SECTION 13. As of June thirtieth, nineteen hundred and fifty-four, the comptroller is authorized to transfer from the General Fund to the Veterans' Services Fund the sum of three million four hundred and fifty thousand dollars.

SECTION 14. As of June thirtieth, nineteen hundred and fifty-five, the comptroller shall charge the surplus account of the General Fund with the amounts of the deficits in the Port of Boston Fund and the Old Age Assistance Fund.

SECTION 15. The effective date of the appropriation accounts, subsidiary accounts and authorizations in section two of this act shall be July first, nineteen hundred and fifty-four. However, beginning June first, nineteen hundred and fifty-four, obligations may be incurred against these appropriation accounts or subsidiary accounts, if any, thereunder, for items to be delivered or for services to be rendered on and after July first, nineteen hundred and fifty-four; provided, they are in accordance with law and the amounts thereof do not exceed the amount of the appropriation account or subsidiary account. Where the allotment of an appropriation account or subsidiary account is a condition precedent to expenditure, the obligations shall not exceed the amount allotted for said appropriation account or subsidiary account. The certified copies of the schedules as provided for in section twenty-seven of chapter twenty-nine of the General Laws shall be filed with the comptroller and the budget commissioner to permit the effective operation of this section on June first, nineteen hundred and fifty-four. Where the allotment of an appropriation account or subsidiary account is required by law, allotments shall be made to permit the effective operation of this section on June first, nineteen hundred and fifty-four.

SECTION 16. The budget commissioner is hereby directed to send a copy of sections three to seventeen, inclusive, of this act to each departmental, divisional and institutional head immediately following the passage of this act.

SECTION 17. Sections one to twelve of this act shall take effect on July first, nineteen hundred and fifty-four; sections thirteen to sixteen shall take effect upon the passage of this act.

Approved May 20, 1954.

AN ACT PROVIDING A PENALTY FOR THE REFUSAL BY A WITNESS TO APPEAR, TESTIFY OR PRODUCE PAPERS BEFORE THE GENERAL COURT OR EITHER BRANCH THEREOF OR BEFORE COMMITTEES OR COMMISSIONS ACTING UNDER AUTHORITY THEREOF. Chap. 454

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith a penalty for the refusal by a witness to appear, testify or produce papers before the general court or either branch thereof or before committees or commissions acting under authority thereof, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Chapter 3 of the General Laws is hereby amended by inserting after section 28, as appearing in the Tercentenary Edition, the following section: — *Section 28A.* Any person who, having been summoned as a witness to give testimony or produce papers, by the authority of either branch of the general court, or both jointly, or under any provision of law, upon any matter under inquiry before either branch, or before any committee of either branch, or before any joint or special committee or special commission consisting in whole or in part of members of the general court, wilfully makes default or who, having appeared, refuses without constitutional right, to answer under oath or affirmation any question pertinent to the question under inquiry shall be deemed guilty of a misdemeanor punishable by a fine of not less than one hundred dollars nor more than one thousand dollars, or imprisonment for not less than thirty days nor more than one year, or both. If such refusal is before the general court or either branch thereof, no prosecution shall be started until an order therefor setting forth the facts constituting such failure or refusal is adopted and certified to the attorney general or to the appropriate district attorney. If such refusal is before a committee or commission, no prosecution shall be started until such committee or commission makes a report thereof to the general court or either branch and an order therefor setting forth the facts constituting such failure or refusal is adopted and certified to the attorney general or to the appropriate district attorney. When such order is adopted by the general court, such certification shall be made by the clerk of the senate and when adopted by either branch thereof such certification shall be made by the clerk of such branch. Upon receipt of such certification the attorney general or the said district attorney shall present the matter to the grand jury for its action. The provisions of this section shall be in addition to any constitutional power of the general court or either branch thereof to punish for contempt. G. L. (Ter. Ed.), 3, new § 28A, added. Penalty for refusal to appear or testify before general court or committees thereof.

Approved May 20, 1954.

Chap.455 AN ACT RELATIVE TO DISPOSITION OF UNCLAIMED FUNDS OF PATIENTS WHO HAVE DIED IN STATE MENTAL INSTITUTIONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 123, § 39A, etc., amended.

Disposition of unclaimed funds of certain patients, regulated.

The first sentence of section 39A of chapter 123 of the General Laws, as amended by section 2 of chapter 291 of the acts of 1936, is hereby further amended by inserting after the word "department", in line 5, the words: —, and such funds amounting to less than one hundred dollars belonging to patients who have died, — so as to read as follows:—So much of any funds known as "Patients' Funds" as represents monies belonging to, or deposited for the benefit of, patients who have been discharged or have escaped from any state hospital or from the custody of the department, and such funds amounting to less than one hundred dollars belonging to patients who have died, which shall have remained unclaimed for more than seven years, shall be paid by the superintendent of such state hospital or by the commissioner to the state treasurer to be held subject to be paid to the person establishing a lawful right thereto, with interest at the rate of three per cent per annum from the time when it was so paid to the state treasurer to the time when it is paid by him to such person; provided, that so much of any monies so paid to the state treasurer as may be necessary to reimburse the department for any sum due for the support of the person by whom, or for whose benefit, such money was originally deposited, shall be credited to the department for that purpose.

Approved May 20, 1954.

Chap.456 AN ACT RELATING TO THE PAYMENTS TO BE MADE BY THE TOWN OF FRAMINGHAM ON ACCOUNT OF ITS ADMISSION TO THE SOUTH METROPOLITAN SEWERAGE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 527 of the acts of 1951 is hereby amended by striking out section 6 and inserting in place thereof the following section:—*Section 6.* The town of Framingham shall, in addition to the yearly payment of the assessment so provided for in section five, pay into the treasury of the commonwealth for the Metropolitan Sewerage Loan-South System, Serial Bond Redemption account to be used for reduction of current assessments such proportion of the total amount of the sinking fund for the district, as existing on the first day of April in the year of its admission to the south metropolitan sewerage district and of all sinking fund bonds and serial bonds paid prior to said date, as the valuation of the said town for the said year shall bear to the total amount of the valuation of said district, as determined by the purposes of apportionment of assessments. Such proportion shall be determined by the commission and shall

be certified by the commission to the state treasurer. The state treasurer shall determine the total amount so to be paid by said town on account of its admission to said district and for the payment thereof shall add one twentieth of said total amount to the yearly sum payable by said town on account of its share of the interest, sinking fund and serial bond requirements of said district in each of twenty years next succeeding. No assessment on account of the admission of said town to the aforesaid district or on account of the cost of maintenance and operation of the aforesaid district shall be made upon said town until the commission shall have certified to said town that the work herein provided for has been so far completed as to furnish an outlet to receive sewage from said town.

SECTION 2. This act shall take effect upon its passage.

Approved May 21, 1954.

AN ACT RELATIVE TO SPORTING, HUNTING, FISHING OR TRAPPING LICENSES ISSUED TO CERTAIN MINORS. *Chap. 457*

Be it enacted, etc., as follows:

SECTION 1. Chapter 131 of the General Laws is hereby amended by striking out section 7, as appearing in section 2 of chapter 599 of the acts of 1941, and inserting in place thereof the following section:— *Section 7.* No sporting, hunting, fishing or trapping license shall be granted to a minor under the age of fifteen, nor, except as hereinafter provided, shall a sporting, hunting or trapping license be granted to a minor between the ages of fifteen and eighteen years, but the director or any city or town clerk may issue a fishing or trapping license to any minor between the ages of fifteen and eighteen if such minor has been a resident of this commonwealth for at least six months and is a citizen of the United States, or a fishing license to a non-resident minor between the ages of fifteen and eighteen if such minor is a citizen of the United States. The director or any city or town clerk shall issue a hunting or sporting license to any minor between the ages of fifteen and eighteen years who presents to the person authorized to issue such license (a) a written statement that at all times when hunting or target practicing other than on a duly recognized range said minor shall be accompanied by a person twenty-one years of age or older; (b) evidence that said minor has held a license authorizing him to hunt in the state in a prior year; (c) or a certificate of competency as provided in this section, if such minor has been a resident of this commonwealth for at least six months and is a citizen of the United States. Every application for a license hereunder, except a fishing license, from a minor between the ages of fifteen and eighteen years, shall be in writing and shall be accompanied by the written consent thereto of the parent or guardian, which shall be preserved for one year by the city or town clerk or the director, as the case may be.

G. L. (Ter. Ed.), 131, § 7, etc., amended.

Issuance of sporting or trapping licenses to certain minors, regulated.

The board of natural resources, acting through the division of law enforcement, is authorized to provide for minors between the ages of fifteen and eighteen years who have written approval of a parent or guardian, a course of instruction in the safe handling of firearms, and for that purpose may co-operate with any or all departments or divisions of the commonwealth or any of its subdivisions, associations or organizations. Upon the successful completion of such course of instruction, such minors shall receive a certificate of competency in the safe handling of firearms.

Nothing in this section or any other provision of law shall prohibit any minor from participating in target practice on any duly recognized range; provided, however, that such target practice is conducted under adult supervision.

Nothing in this section or any other provision of law shall prohibit a minor between the ages of twelve and fifteen years from participating in the hunting of birds and mammals when accompanied by a duly licensed adult; provided, that the bag limit established by law or regulation for one person shall not be exceeded; and provided, further, that only one firearm shall be used in such hunting. Not more than one such minor shall at any one time accompany one adult, and such minors shall not be required to be licensed.

Any firearm whether discharged by air, mechanical action or otherwise, used or possessed by any minor who is not licensed, or who is not accompanied as provided in this section, or which is used in violation of this section, shall be confiscated by any officer empowered to enforce this section, and shall be disposed of by the director of law enforcement for the best interest of the commonwealth, after a hearing, due notice of which has been given.

Effective
date.

SECTION 2. This act shall take effect on January first, nineteen hundred and fifty-five. *Approved May 21, 1954.*

Chap. 458 AN ACT AUTHORIZING THE TRANSFER OF CERTAIN LAND IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON TO THE METROPOLITAN DISTRICT COMMISSION FOR PLAYGROUND PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The Boston Housing Authority, acting as agent of the city of Boston, pursuant to the provisions of chapter three hundred and seventy-two of the acts of nineteen hundred and forty-six, as amended, is hereby authorized and empowered to transfer and convey, without consideration therefor, to the metropolitan district commission, any part or parts of the land on the south side of River street in the Dorchester district of said city, acquired and held by said city for the purposes of veterans' housing and no longer needed for such purposes. Thereafter so much of said land as is transferred hereunder shall be devoted by the metropolitan district commission to playground purposes.

SECTION 2. This act shall take effect upon its acceptance by vote of the metropolitan district commission.

Approved May 21, 1954.

AN ACT RELATIVE TO THE LOCAL TAXATION OF PERSONAL PROPERTY IN CERTAIN WAREHOUSES. *Chap. 459*

Be it enacted, etc., as follows:

SECTION 1. Chapter 59 of the General Laws is hereby amended by striking out section 2, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 2.* All property, real and personal, situated within the commonwealth, and all personal property of the inhabitants of the commonwealth wherever situated, unless expressly exempt, shall be subject to taxation; provided, however, that the personal property of a person having neither his domicile nor a place of business in this commonwealth, which, upon its being brought or shipped into this commonwealth, is forthwith stored in the original packages in a licensed public storage warehouse, shall, while so stored, be deemed to be in transit and not subject to taxation under this chapter; but no portion of any warehouse which portion is owned or leased by a consignor or consignee of the personal property stored shall be deemed a licensed public storage warehouse.

G. L. (Ter. Ed.), 59, § 2, amended.

Taxation of personal property in certain warehouses, regulated.

SECTION 2. Section 33 of said chapter 59, as amended by section 35 of chapter 254 of the acts of 1933, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—All persons engaged in the business of storing or keeping merchandise in storage warehouses shall, within ten days after request therefor by the assessors of the town where said property is so stored or kept, permit said assessors to copy from their records a list of the names and addresses of all persons who appear, on January first in such year, to have any such property stored or kept in any such warehouse, except domestic business corporations and foreign corporations as respectively defined in section thirty of chapter sixty-three, and domestic manufacturing corporations and foreign manufacturing corporations as respectively defined in sections thirty-eight C and forty-two B of said chapter; but such persons shall not be required to furnish lists of persons having property stored in warehouses which is composed of imported goods in the original packages owned by the importer, or of goods that have been received for export trade or of property which is deemed to be in transit under section two.

G. L. (Ter. Ed.), 59, § 33, etc., amended.

Same subject.

Approved May 21, 1954.

Chap.460 AN ACT RELATIVE TO THE DETERMINATION OF SCHOOL TAX RATES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 59, § 23C, etc., amended.

Determination of school tax rates, regulated.

SECTION 1. Section 23C of chapter 59 of the General Laws, inserted by section 1 of chapter 578 of the acts of 1952, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:— The assessors shall annually determine the school tax rate and the general tax rate of the town in the manner herein-after provided, and shall certify the same to the collector for inclusion in the tax bill or notice in accordance with the provisions of section three A of chapter sixty. For such purpose the assessors shall first determine the school assessment by deducting from total school appropriations the estimated amount of school income together with the school percentage of estimated general receipts and by adding to the amount then remaining the school percentage of any overlay for abatements. The school tax rate shall then be computed by the assessors by dividing such school assessment by the total valuation of real and personal property in thousands of dollars. The general tax rate shall be determined by deducting the school tax rate from the total tax rate as determined under the provisions of this chapter. The school committee and the town accountant, auditor or other officer having similar duties, shall, on request of the assessors, furnish such information as may be required for the purposes of this section.

G. L. (Ter. Ed.), 59, § 23C, etc., further amended.

"School percentage", defined.

SECTION 2. Said section 23C of said chapter 59 is hereby further amended by adding at the end the following definition:—

"School percentage" shall mean the proportion that total school appropriations bear to the gross amount to be raised, as determined by the assessors in computing the total tax rate, after deducting from such gross amount (a) the overlay for abatements, and (b) any appropriations for public service enterprises and the service of any outstanding indebtedness incurred therefor.

Approved May 21, 1954.

Chap.461 AN ACT RELATIVE TO CERTAIN NOTICES IN CONNECTION WITH THE TRANSFER OF ASSETS OF CERTAIN BUSINESS CORPORATIONS AND TO ESTABLISH A LIEN FOR CORPORATION TAXES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 63, § 76, amended.

SECTION 1. Chapter 63 of the General Laws is hereby amended by striking out section 76, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 76.* At least five days prior to the sale or transfer, otherwise than in the ordinary course of business, of all or substantially all of the assets situated in the commonwealth of a domestic or foreign business

corporation, except in cases where a waiver shall be given as hereinafter provided, the corporation or any person in interest shall file a return notifying the commissioner in writing of the proposed sale or transfer, and of the price, terms and conditions thereof, and of the character and location of the assets and cause to be filed with the commissioner all such tax returns as may be necessary to determine the taxes due and to become due and payable under this chapter to the commonwealth to and including the date of such sale or transfer, and shall pay to the commonwealth all such taxes owing to said date of sale or transfer. At the time of any such sale or transfer, except in cases where a waiver shall have been given, the tax imposed by this chapter shall thereupon become due and payable. In the event of a failure to notify the commissioner and so to file such return or returns and pay such taxes at or before the time of such sale or transfer, the commonwealth shall have for its exclusive benefit a lien upon all of the assets of the corporation in the commonwealth effective immediately prior to such sale or transfer to the extent necessary to satisfy said taxes. Said lien shall terminate not later than three years after the date of said sale or transfer and until such termination may be enforced under and in accordance with the provisions of chapter two hundred and fifty-four in the case of real estate and section seventy-two of this chapter in the case of personal property, but the ten-day notice required in said section seventy-two shall not be applicable to this section. Prior to the date of such sale or transfer the commissioner, and after such date, the commission, may waive such lien and any or all of the other requirements of this section. Such waiver shall be in writing and shall constitute final and conclusive evidence as to any person other than the corporation that said lien has not arisen or has terminated, and it may be recorded with the appropriate register of deeds or city or town clerk as the case may be, and the said register, city or town clerk shall receive the same upon the payment of the fee prescribed by law. This section shall not apply to sales or transfers by receivers, assignees under a voluntary assignment for the benefit of creditors, trustees in bankruptcy, or public officers acting under judicial process. This section shall apply to transfers hereafter made as security for the performance of an obligation which is not incurred in good faith by the corporation for the purposes of its business but otherwise shall not apply to transfers by way of security.

Lien for certain taxes, established.

SECTION 2. Section 5 of chapter 254 of the General Laws, as so appearing, is hereby amended by inserting after the word "structure", in line 2, the words: — or to enforce a lien established under section seventy-six of chapter sixty-three, — so as to read as follows: — *Section 5.* All proceedings to enforce a lien upon land for the erection, alteration, repair or removal of a building or other structure or to enforce a lien established under section seventy-six of

G. L. (Ter. Ed.), 254, § 5, amended.

Enforcement of lien by bill in equity in superior court, authorized.

chapter sixty-three, shall be begun by bill in equity filed in the superior court for the county where the land lies. The petitioner shall bring his bill in his own behalf and in behalf of all other persons in interest who shall become parties. The subpoena shall be returnable not more than sixty days subsequent to the entry of the bill and shall contain a brief description of the property, sufficient to identify it, and a statement of the amount alleged to be due. An attested copy thereof shall be filed in the registry of deeds and recorded as provided in section nine. All other parties in interest may appear and have their rights determined in such bill, and at any time before a final decree, upon the suggestion of any party in interest that any other person is or may be interested in the suit, or of its own motion, the court may issue a subpoena to such person, or a precept directing him to appear in said cause on or before a day certain or be forever barred from any rights thereunder. The court may in its discretion provide for notice to absent parties in interest. The terms "party in interest" and "person in interest", as used in this chapter, shall include mortgagees and attaching creditors.

Certain
corporate
sales and
transfers,
validated.

SECTION 3. Notwithstanding any provision of section seventy-six of chapter sixty-three of the General Laws in effect immediately prior to September first, nineteen hundred and fifty-four, all sales and transfers made by corporations prior to January first, nineteen hundred and fifty, and all sales and transfers made after December thirty-first, nineteen hundred and forty-nine and prior to September first, nineteen hundred and fifty-four by corporations which have paid in full all taxes due under said chapter sixty-three for the year in which each such sale or transfer was made and for all prior years, are hereby declared to be valid and binding against the commonwealth and all other sales and transfers made by corporations after December thirty-first, nineteen hundred and forty-nine and prior to September first, nineteen hundred and fifty-four will be valid and binding against the commonwealth when all such taxes have been paid in full. The commissioner shall, on written application by any person, and upon payment of all such taxes, furnish to such applicant a certificate that no taxes imposed upon the corporation by said chapter sixty three for a stated year and any prior year remain unpaid upon his records at the date of the certificate. Such certificate shall be conclusive evidence, for the purposes of this section. The commissioner shall charge two dollars for each certificate so issued, and the money so received shall be paid into the treasury of the commonwealth. Such a certificate may be recorded with the appropriate register of deeds or city or town clerk as the case may be, and the said register, city or town clerk shall receive the same upon the payment of the fee prescribed by law.

Fees for
certification.

Effective
date.

SECTION 4. This act shall take effect on September first, nineteen hundred and fifty-four. *Approved May 21, 1954.*

AN ACT PROVIDING FOR THE RECONSTRUCTION OF THE *Chap. 462*
CLINTON SEWAGE DISPOSAL WORKS.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission shall, before the first day of April, nineteen hundred and fifty-five, begin the construction of a modern plant to replace the existing works now serving the town of Clinton. Plans for construction of said sewage treatment works must be approved by the department of public health of the commonwealth before said construction shall begin. Said metropolitan district commission is hereby empowered to take or acquire by purchase or otherwise any land, water rights, water privileges, rights of way or easements in said town of Clinton or the town of Lancaster necessary for the establishment of a system of sewage disposal. Said metropolitan district commission shall continue to maintain said sewage disposal works upon their completion. For the purpose of constructing said plant said commission may expend such sums as may be necessary but not exceeding the amount authorized to be borrowed under section three of this act.

SECTION 2. In the design and construction of said works the metropolitan district commission shall take into consideration the sewage disposal needs of the town of Lancaster. Said metropolitan district commission shall also confer with the Massachusetts Youth Service Board in connection with sewage disposal problems of the Industrial School for Girls in Lancaster.

SECTION 3. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time but not exceeding in the aggregate the sum of six hundred and fifty thousand dollars. All bonds issued by the commonwealth as aforesaid shall be designated on the face, Metropolitan Water District: Clinton Sewage Loan, Act of 1954, and shall be on the serial payment plan for such maximum term of years not exceeding thirty years from date of issue, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the commonwealth, the maturities therefor to be so arranged that the amounts payable in the several years other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest payable semi-annually at such rate as the state treasurer with the approval of the governor shall fix. Said bonds shall be payable not earlier than July first, nineteen hundred and fifty-four, nor later than June thirtieth, nineteen hundred and eighty-nine. All interest payments and payments on account of principal on such obligations shall be part of the

debt and expense of the metropolitan water district as shall all costs of future maintenance of said plant. Funds to be appropriated under this act shall not be subject to the provisions of chapter four hundred and sixty-six of the acts of nineteen hundred and forty-seven.

SECTION 4. This act shall take effect upon its passage.

Approved May 24, 1954.

Chap.463 AN ACT RELATIVE TO GUARANTY FUNDS OF CO-OPERATIVE BANKS AND SAVINGS BANKS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make the provisions contained therein effective immediately, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 149 of the acts of 1952, as amended by chapter 72 of the acts of 1953, is hereby further amended by striking out, in line 3, the word "fifty-four" and inserting in place thereof the word: — fifty-five, — so as to read as follows: — If, during the period from January first, nineteen hundred and fifty-two to September first, nineteen hundred and fifty-five, at any distribution date the guaranty fund and surplus account together amount to at least eleven per cent of the share liability of a co-operative bank, the transfer to the guaranty fund described in the second paragraph of section thirty-eight of chapter one hundred and seventy of the General Laws shall not be required, provided an equivalent amount is transferred from the surplus account to the guaranty fund.

SECTION 2. Chapter 193 of the acts of 1953 is hereby amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* This act shall become inoperative after December first in the year nineteen hundred and fifty-five.

Approved May 24, 1954.

Chap.464 AN ACT AUTHORIZING AGENTS AND BROKERS TO ACCEPT PAYMENT OF INSURANCE PREMIUMS IN INSTALMENTS, AND TO FINANCE INSURANCE PAYMENTS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide for financing the payments for insurance premiums forthwith, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 175,
new § 162B,
added.
Instalment
financing of
insurance
premiums
authorized.

Chapter 175 of the General Laws is hereby amended by inserting after section 162A, inserted by chapter 629 of the acts of 1947, the following section: — *Section 162B.* Insurance agents and brokers may accept payment of insurance premiums in instalments to be evidenced by notes or other

appropriate instruments running from the insured to the agent or broker, under rates, charges and regulations established after public hearing, as equitable and non-discriminatory, by a board comprising the attorney general, the insurance commissioner and the commissioner of banks. Each of said members may designate an employee in his department, authorized in each instance, to act as his representative on said board.

For the purposes of financing insurance premiums and the subsequent sale or other negotiation of any such note or instrument to a third party, insurance agents and brokers shall be considered to be sellers of insurance.

Approved May 24, 1954.

AN ACT REQUIRING EXECUTORS TO GIVE CERTAIN NOTICE TO DEVISEES AND LEGATEES, AND PLACING A LIMITATION ON ACTIONS TO RECOVER LEGACIES.

Chap. 465

Be it enacted, etc., as follows:

SECTION 1. Chapter 192 of the General Laws is hereby amended by inserting after section 11, as appearing in the Tercentenary Edition, the following section:— *Section 12.* Within three months after the allowance of a will and the appointment and qualification of an executor, it shall be the duty of the executor to notify by mail the devisees and legatees named in the will whose addresses are known to him that devises, legacies or bequests have been made to them and to file in the probate court an affidavit showing the names of those notified and the addresses to which notices were mailed. In case an administrator with the will annexed is appointed he shall have the same duty unless it has already been performed by an executor.

G. L. (Ter. Ed.), 192, new § 12, added.
Notices to devisees and legatees by executors, required.

SECTION 2. Chapter 197 of the General Laws is hereby amended by striking out section 19, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 19.* A legatee may recover his legacy and enforce all rights in respect to the same by proceedings in equity in the probate court in which the will was proved. Nothing in this chapter shall be construed to limit the time within which such proceedings may be brought except that the real estate of the testator shall not be liable to be sold for the payment of a legacy by the executor or other representative of the estate either under a power in the will or under license or order of court in, or as a result of, such a proceeding unless it is filed in the probate court within twenty years from the testator's death. No action at law shall be brought against the estate of the testator for such recovery.

G. L. (Ter. Ed.), 197, § 19, amended.

Actions in equity in probate court to recover legacies, etc., authorized.

SECTION 3. Notwithstanding the provisions of section two of this act, in cases where the testator died prior to December thirty-first in the year nineteen hundred and thirty-five, a legatee shall have until December thirty-first

Limitation on certain actions.

in the year nineteen hundred and fifty-five to bring an action in the probate court in which the will was proved to recover a legacy for the payment of which real estate of the testator shall be liable.

Effective
date.

SECTION 4. This act shall take effect on September first of the current year.

Approved May 24, 1954.

Chap.466 AN ACT PROVIDING FOR THE MAINTENANCE OF A BRIDGE
OVER THE CONNECTICUT RIVER.

Be it enacted, etc., as follows:

The bridge across the Connecticut river from a point in the Turners Falls section of the town of Montague to a point on the state highway in the vicinity of the Riverside section of the town of Gill shall, on and after July first, nineteen hundred and fifty-four, be maintained as a public highway by the department of public works. The county commissioners of Franklin county shall initiate the transfer and shall transmit to said department all records and plans relative to said bridge. Upon the effective date of this act, said bridge shall be a state highway with approach limits to be established by the department of public works.

Approved May 24, 1954.

Chap.467 AN ACT FURTHER REGULATING THE ATTACHMENT OF WAGES
FOR PERSONAL LABOR AND SERVICES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 246,
§ 32, etc.,
amended.

Section 32 of chapter 246 of the General Laws is hereby amended by striking out paragraph Eighth, as most recently amended by chapter 558 of the acts of 1950, and inserting in place thereof the following paragraph: —

Attachment
of wages
for personal
labor and
services,
restricted.

Eighth, By reason of money or credits due for the wages of personal labor or services of the defendant, unless such attachment is authorized in advance by written permission endorsed upon the writ and signed by a justice, associate justice or special justice of the court in which the action is commenced. Application to said justice, associate justice or special justice of the court for permission for said attachment shall be made only after ten days' written notice has been delivered or sent by registered mail, return receipt requested, to the defendant at his last known address, place of business or employment. Such notice shall contain the name of the plaintiff, the name of the court in which the action is to be commenced, the nature of the claim, the time and place such application will be made, and shall inform the defendant that he is entitled to be present and be heard at said time and place if he objects to the granting of said application. A copy of said notice and a certificate of the person sending or delivering said notice shall be evidence thereof. Notwithstanding the preceding provisions relating to notice, if said justice, associate justice or special jus-

tice finds in his discretion that compliance with said provisions relating to notice will unreasonably delay and hinder justice, he may authorize the attachment with a shorter notice, or without notice, to the defendant.

Approved May 24, 1954.

AN ACT AUTHORIZING THE DIVISION OF YOUTH SERVICE TO
SELL A PARCEL OF LAND TO THE TOWN OF BOLTON. *Chap.468*

Be it enacted, etc., as follows:

Upon recommendation of the commission on administration and finance, and with the approval of the governor and council, the division of youth service is hereby authorized to sell for town purposes to the town of Bolton, for the sum of one dollar, a parcel of land which has been certified by said division to be no longer necessary for its program. Said land being located in the town of Bolton on the southerly side of an abandoned road from Bolton to Lancaster, and the northerly side of the road known as Forbush Mill road, bounded and described as follows:— Beginning at a point on the northerly line of said Forbush Mill road, the southwesterly corner of the lot of land now or formerly of George H. Brown; thence north 12° 42' east along said Brown land 868.4 feet to the southerly side of said abandoned road; thence along said abandoned road north 84° 49' east 474.7 feet to land now or formerly of heirs of Michael Butler; thence along said Butler land south 12° 36' west 886.9 feet to the northerly line of said Forbush Mill road; thence running westerly along said Forbush Mill road 500 feet more or less to the place of beginning. Containing 9.6 acres more or less and being the second parcel described in a deed by Orise King to the Commonwealth of Massachusetts, dated July 21, 1855, recorded with the Worcester District Registry of Deeds, Book 549, Page 194 and being Lot B as shown on Plan of Land of the Commonwealth of Massachusetts, Industrial School for Girls, Lancaster, Massachusetts, dated April 1, 1915, and surveyed for Parker, Bateman and Chase, Civil Engineers. Said survey was provided for by chapter ninety-one of the resolves of nineteen hundred and fourteen. The jurisdiction in and over the land described in this act shall revert to and revest in the commonwealth whenever such land shall cease to be used for the purpose set forth in this act.

Approved May 24, 1954.

AN ACT ESTABLISHING THE CUSHING HOSPITAL FOR THE CARE
OF ELDERLY PERSONS. *Chap.469*

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to make immediately effective the provisions therein contained establishing a hospital for the care of elderly persons, therefore it is hereby

Emergency
preamble.

declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

SECTION 1. The department of mental health is hereby authorized to accept on behalf of the commonwealth the conveyance of the United States of America subject to the terms and conditions provided and authorized by the Federal Property and Administrative Services Act of 1949, as amended, of all of the right, title and interest of the United States in and to the property known as Cushing General Hospital, in the town of Framingham, including lands of the United States and improvements thereon.

SECTION 2. There is hereby established on the property acquired under section one of this act for the care and custody of elderly persons, the Cushing hospital. Said hospital shall be under the control of the department of mental health and shall be operated as a public medical institution as defined in section one B of chapter one hundred and eighteen A of the General Laws.

G. L. (Ter. Ed.), 19, § 5, etc., amended.

Cushing hospital added.

SECTION 3. Section 5 of chapter 19 of the General Laws, as most recently amended by section 2 of chapter 684 of the acts of 1950, is hereby further amended by inserting after the word "hospital", in line 10, the words:—, Cushing hospital,— so as to read as follows:— *Section 5.* The boards of trustees of the following public institutions shall serve in the department: Belchertown state school, Boston psychopathic hospital, Boston state hospital, Danvers state hospital, Foxborough state hospital, Gardner state hospital, Grafton state hospital, Walter E. Fernald state school, Medfield state hospital, Metropolitan state hospital, Monson state hospital, Norfolk state hospital, Northampton state hospital, Taunton state hospital, Westborough state hospital, Worcester state hospital, Cushing hospital, Myles Standish state school and Wrentham state school.

G. L. (Ter. Ed.), 123, § 25, etc., amended.

Cushing hospital to be under control of department of mental health.

SECTION 4. Section 25 of chapter 123 of the General Laws, as most recently amended by section 3 of chapter 684 of the acts of 1950, is hereby further amended by inserting after the word "hospital", in line 10, the words:—, Cushing hospital,— so as to read as follows:— *Section 25.* The state institutions under the control of the department shall be Worcester state hospital, Taunton state hospital, Northampton state hospital, Danvers state hospital, Grafton state hospital, Westborough state hospital, Foxborough state hospital, Medfield state hospital, Monson state hospital, Gardner state hospital, Wrentham state school, Boston state hospital, Walter E. Fernald state school, Boston psychopathic hospital, Belchertown state school, Metropolitan state hospital, Norfolk state hospital, Cushing hospital, Myles Standish state school, and such others as may hereafter be added by authority of law.

SECTION 5. The provisions of law relative to the admission of elderly persons to, and reception, custody, care,

treatment and support of such persons at, and the discharge of such persons from, the Cushing hospital, shall not take effect until such hospital is ready for the reception of the elderly persons; and such time shall be fixed by proclamation of the governor in accordance with a notification from the department of mental health.

SECTION 6. The initial appointments of members of the board of trustees of Cushing hospital shall be so made by the governor, with the advice and consent of the council, that the term of one such member shall expire on the first Wednesday of February in the years nineteen hundred and fifty-five to nineteen hundred and sixty-one, inclusive, subject, however, to the provisions of section six of chapter nineteen of the General Laws. *Approved May 25, 1954.*

AN ACT AUTHORIZING THE BYFIELD WATER DISTRICT TO *Chap.470*
MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of extending its water mains, the Byfield water district may borrow, from time to time within five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, twenty-two thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Byfield Water District Loan, Act of 1954. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under authority of this act shall be outside the statutory limit of indebtedness, but shall, except as otherwise provided in this act, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1954.

AN ACT TO PROVIDE FOR A SPECIAL CAPITAL OUTLAY PROGRAM *Chap.471*
FOR THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately for a special capital outlay program for the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. To provide for a special program of construction, reconstruction, alteration and improvement of various state institutions and properties, and for the purchase of certain property, the sums set forth in section two of this act, for the several purposes and subject to the conditions specified in said section two, are hereby made available,

subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Service of the Armory Commission.

Item		
8255-01	For the construction of armories, including furnishings and equipment, to be expended in connection with federal funds available for this purpose, to be in addition to the amount appropriated in item 8654-01 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three; provided, that the provisions of section thirty A of chapter seven of the General Laws shall not apply to expenditures made from this item	\$415,000 00

Service of the State Superintendent of Buildings.

8255-02	For certain fire protection improvements in the state house	\$70,000 00
8255-03	For certain plumbing improvements in the state house and Ford Building, to be in addition to the amount appropriated in item 7704-05 of section two of chapter seven hundred and fifty-six of the acts of nineteen hundred and fifty-one	60,000 00

Service of the State Airport Management Board.

8255-04	For the further development of the General Edward Lawrence Logan International Airport; provided, that any improvement or development of the airport under this item shall not permit the extension of the existing bounds towards the town of Winthrop or the mainland of the East Boston district of the city of Boston; and, further provided, that the board shall accept any federal funds available for the purpose, and such federal funds, when received, shall be credited to the General Fund	\$150,000 00
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Service of the Department of Natural Resources.

8255-86	For the further development of the Mount Tom State Reservation in accordance with recommendations contained in the report made by the department of natural resources pursuant to chapter seventy of the resolves of nineteen hundred and fifty-three; provided, that to cover this item the comptroller shall include in the assessment made under the provisions of section five of chapter one hundred and thirty-two A of the General Laws the sum of ten thousand one hundred and twenty dollars yearly for the years nineteen hundred and fifty-five to nineteen hundred and sixty-four, inclusive, and shall credit said amount to the General Fund; and, further provided, that the provisions of section thirty A of chapter seven of the General Laws shall not apply to expenditures made from this item	\$92,000 00
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Item		
8255-05	For the development and improvement of certain recreation areas, including the project contained in House document 2517 and a study of the project specified in House document 2593 and including the development of certain recreation areas in northern Berkshire county; provided, that any additional land acquired under this item shall be acquired under the provisions of chapter seventy-nine of the General Laws; and, further provided, that to cover this item the comptroller shall include in the assessment made under the provisions of section five of chapter one hundred and thirty-two A of the General Laws the sum of forty-four thousand dollars yearly for the years nineteen hundred and fifty-five to nineteen hundred and sixty-four, inclusive, and shall credit said amount to the General Fund, to be in addition to the amount appropriated in item 8654-04 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three; and, further provided, that the provisions of section thirty A of chapter seven of the General Laws shall not apply to expenditures made from this item	\$400,000 00

Service of the Department of Education.

8255-06	For fire protection improvements in certain buildings under the supervision of the department of education in accordance with the recommendations of the department of public safety to comply with the provisions of chapter five hundred and eighty-two of the acts of nineteen hundred and forty-eight, as amended, to be designated by the director of building construction	\$531,000 00
8255-07	State Teachers' College at Bridgewater: For the construction of a gymnasium and swimming pool building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 7613-01A of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-two	1,120,000 00
8255-08	State Teachers' College at Fitchburg: For the construction of a gymnasium building, including the cost of furnishings and equipment	453,000 00
8255-09	State Teachers' College at Lowell: For the conversion of the present auditorium into a library, including the cost of furnishings and equipment	15,000 00
8255-10	State Teachers' College at Boston: For certain renovations and improvements, including the cost of furnishings and equipment	76,000 00

Item		
	Lowell Technological Institute of Massachusetts:	
8255-11	For the purchase and installation of certain machinery and equipment	\$110,000 00
8255-12	For certain fire protection improvements in accordance with the recommendations of the department of public safety to comply with the provisions of chapter five hundred and eighty-two of the acts of nineteen hundred and forty-eight, as amended, to be designated by the director of building construction	35,000 00
	University of Massachusetts:	
8255-13	For improvements to the steam, electric, water and sewage disposal systems, to be in addition to the amount appropriated in item 8654-10 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three	395,000 00
8255-14	For the construction of a classroom building, including the cost of furnishings and equipment	1,000,000 00
8255-15	For certain fire protection improvements in accordance with the recommendations of the department of public safety to comply with the provisions of chapter five hundred and eighty-two of the acts of nineteen hundred and forty-eight, as amended, to be designated by the director of building construction	72,000 00
8255-16	For the construction of an addition to the chemistry laboratory, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8654-08 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three	1,747,000 00
8255-17	For the construction of a women's physical education building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8654-07 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three	1,621,000 00
	Youth Service Board:	
8255-18	For fire protection improvements in certain buildings under the supervision of the youth service board in accordance with the recommendations of the department of public safety to comply with the provisions of chapter five hundred and eighty-two of the acts of nineteen hundred and forty-eight, as amended, to be designated by the director of building construction	85,000 00
	Industrial School for Boys:	
8255-19	For certain power plant improvements, including steam distribution, to be in addition to the amount appropriated in item 8654-14 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three	73,000 00
8255-20	For the installation of an intercommunication system	15,000 00

Service of the Department of Mental Health.

Item		
8255-21	For fire protection improvements in certain buildings under the supervision of the department of mental health in accordance with the recommendations of the department of public safety to comply with the provisions of chapter five hundred and eighty-two of the acts of nineteen hundred and forty-eight, as amended, to be designated by the director of building construction	\$590,000 00
	Boston State Hospital:	
8255-22	For the construction of a medical and surgical building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 7617-03 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-two	3,100,000 00
8255-23	For improvements to the power plant and steam distribution system	450,000 00
8255-24	For the construction of a garage to replace the present structure	60,000 00
8255-25	For the renovation of plumbing	90,000 00
8255-26	For the construction of an incinerator	20,000 00
	Danvers State Hospital:	
8255-27	For certain fireproofing; renovation of plumbing, heating and electrical distribution; and for certain reconstruction, in the Administration Building, to be in addition to the amount appropriated in item 7918-25 of section two of chapter seven hundred and ninety-five of the acts of nineteen hundred and fifty	419,000 00
	Foxborough State Hospital:	
8255-28	For certain alterations and additions to the N and O Buildings, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 7617-06 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-two	145,000 00
	Gardner State Hospital:	
8255-29	For certain sewage disposal improvements	75,000 00
8255-30	For the renovation and enlargement of six cottages, including the cost of furnishings and equipment	102,000 00
	Grafton State Hospital:	
8255-31	For certain plumbing renovations, to be in addition to the amount appropriated in item 7617-12 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-two	65,000 00
8255-32	For the construction of an addition to the Elms Service Building, including the cost of furnishings and equipment	428,000 00

Item	
Medfield State Hospital:	
8255-33	For the construction of an admission-treatment building, including the cost of furnishings and equipment \$2,187,000 00
8255-34	For the installation of certain fly-ash control equipment 21,000 00
Metropolitan State Hospital:	
8255-35	For the construction of an admission-treatment building, including the cost of furnishings and equipment 2,187,000 00
Northampton State Hospital:	
8255-36	For the construction of an admission-treatment building, including the cost of furnishings and equipment 2,170,000 00
8255-37	For the construction of an elevator in the tuberculosis building 20,000 00
Taunton State Hospital:	
8255-38	For the construction of an admission-treatment building, including the cost of furnishings and equipment 2,132,000 00
Westborough State Hospital:	
8255-39	For certain sewage disposal system improvements 131,000 00
8255-40	For fireproofing and renovation of certain male wards, to be in addition to the amount appropriated in item 8654-20 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three 56,000 00
8255-41	For the construction of an electrical service line from the power plant to the tuberculosis building 48,000 00
8255-42	For the construction of an incinerator 12,000 00
Worcester State Hospital:	
8255-43	For certain fireproofing and plumbing in the main building and fire protection in certain separate buildings, to be in addition to any amount available under Item 7918-44 of section two of chapter seven hundred and ninety-five of the acts of nineteen hundred and fifty, provided that, notwithstanding any provisions of the law to the contrary, extra work may be authorized on the existing contract for the Phillips Building not to exceed the sum of \$123,000.00 for additional concrete framing and related work necessary for the structural strengthening of the building 280,000 00
Monson State Hospital:	
8255-44	For the construction of a building for disturbed females, including the cost of furnishings and equipment 1,060,000 00
8255-45	For the construction of an assembly building, including the cost of furnishings and equipment 830,000 00
8255-46	For certain renovations at Farm Group Number 6, including the cost of equipment 45,000 00
8255-47	For certain improvements at the Children's Colony, including kitchen renovation, plumbing and rewiring, including the cost

Item		
	of furnishings and equipment, to be in addition to the amount appropriated in item 7817-27 of section two of chapter seven hundred and ninety of the acts of nineteen hundred and forty-nine	\$30,000 00
8255-48	For the renovation of certain food services, including the cost of furnishings and equipment	80,000 00
8255-49	For the construction of an infirmary building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 7617-22 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-two	425,000 00
	Belchertown State School:	
8255-50	For certain lightning protection	25,000 00
	Walter E. Fernald State School:	
8255-51	For classroom additions to the East and West Buildings, including the cost of furnishings and equipment	58,000 00
8255-52	For certain renovation of plumbing	75,000 00
8255-53	For an addition to the kitchen and the construction of a central bakery, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 7717-43 of section two of chapter seven hundred and fifty-six of the acts of nineteen hundred and fifty-one	150,000 00
8255-54	For certain electrical distribution system improvements at the Walter E. Fernald State School and the Metropolitan State Hospital, to be in addition to the amount appropriated in item 8654-22 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three	85,000 00
	Wrentham State School:	
8255-55	For certain renovation of plumbing	50,000 00
8255-56	For the renovation and repair of K Building, including the cost of furnishings and equipment	234,000 00
8255-57	For an addition to the laundry building, including the cost of furnishings and equipment	113,000 00
8255-58	For the construction of an infirmary building with connecting tunnels, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 7617-26 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-two	13,500 00
	Myles Standish State School:	
8255-59	For the installation of certain street lighting	20,000 00
8255-60	For the construction of additional permanent buildings, including industrial, recreational and hospital buildings, and the cost of furnishings and equipment, to be in addition to the amount appropriated in item 7617-27 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-two	226,000 00

Item	
Cushing Hospital:	
8255-61	For the renovation and repair of Cushing Hospital; provided, that the property is accepted by the commonwealth for the purpose of caring for elderly persons, and to be operated as a public medical institution, including the cost of furnishings and equipment \$1,650,000 00

Service of the Department of Correction.

8255-62	For fire protection improvements in certain buildings under the supervision of the department of correction in accordance with the recommendations of the department of public safety to comply with the provisions of chapter five hundred and eighty-two of the acts of nineteen hundred and forty-eight, as amended, to be designated by the director of building construction \$326,000 00
State Farm:	
8255-63	For the construction of an elevator in the hospital building 18,000 00
Massachusetts Reformatory:	
8255-64	For certain building alterations, including the construction of a pedestrian trap, and the cost of furnishings and equipment 43,000 00
8255-65	For certain plumbing renovations 80,000 00

Service of the Department of Public Welfare.

Massachusetts Hospital School:	
8255-66	For the extension of certain covered walks \$75,000 00
Tewksbury State Hospital:	
8255-67	For certain plumbing renovations, to be in addition to the amount appropriated in item 7619-04 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-two 50,000 00
8255-68	For certain fire protection improvements in accordance with the recommendations of the department of public safety to comply with the provisions of chapter five hundred and eighty-two of the acts of nineteen hundred and forty-eight, as amended, to be designated by the director of building construction 125,000 00

Service of the Department of Public Health.

8255-69	For fire protection improvements in certain buildings under the supervision of the department of public health in accordance with the recommendations of the department of public safety to comply with the provisions of chapter five hundred and eighty-two of the acts of nineteen hundred and forty-eight, as amended, to be designated by the director of building construction \$169,000 00
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Item	
Lakeville State Sanatorium:	
8255-70	For the construction of a covered, heated corridor from East Ward to the school-house \$11,000 00
Pondville Hospital:	
8255-71	For the air conditioning of the operating rooms and the renovation of certain buildings, including the cost of furnishings and equipment 83,000 00
8255-72	For certain improvements to the sewage disposal system 34,000 00
8255-73	For certain improvements to the steam distribution system 42,000 00

Service of the Department of Public Safety.

8255-74	For the construction of a state police headquarters and radio station on land now owned by the commonwealth in the town of Middleborough, including the cost of furnishings and equipment \$375,000 00
8255-75	For the construction of a state police substation on land now owned by the commonwealth in Foxborough, including the cost of furnishings and equipment 152,000 00

Service of the Department of Public Works.

8255-76	For the improvement, development, maintenance and protection of rivers, harbors, tidewaters and shores, including the projects provided for in current house documents numbered 367, 1191, 1193 and 1642; construction, reconstruction or removal of dams; construction, reconstruction or repair of town or city piers and wharves within the commonwealth; as authorized by section eleven of chapter ninety-one of the General Laws, to be used in conjunction with any federal funds made available for the purpose, to be expended either with or without contributions from municipalities or other organizations and individuals; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws, to be in addition to the amount appropriated in item 8654-26 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three \$2,800,000 00
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Service of the Port of Boston Commission.

8255-77	For certain repairs and replacements at Hoosac Pier Number 1 \$415,000 00
8255-78	For the renovation and modernization of Commonwealth Pier Number 5, including the cost of furnishings and equipment 1,800,000 00

Service of the Soldiers' Home in Massachusetts.

8255-79	For the renovation of John Adams Hospital and Sargent Hall, including the renovation of utilities, sewer line repair and replacement, incinerator construction, replace-
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Item		
	ment of elevator, fireproofing stairways and renovation of outpatient department, to be in addition to the amount appropriated in item 7635-01 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-two	\$220,000 00
8255-80	For certain fire protection improvements in accordance with the recommendations of the department of public safety to comply with the provisions of chapter five hundred and eighty-two of the acts of nineteen hundred and forty-eight, as amended, to be designated by the director of building construction	67,000 00
8255-81	For the purchase and renovation of a house and six garages	20,000 00
8255-82	For the development and improvement of a certain tract of land, as authorized by chapter three hundred and eighty-three of the acts of the current year	15,000 00

Service of the Soldiers' Home in Holyoke.

8255-83	For the construction of a soldiers' home, including a nurses' home, in the city of Holyoke, and including the cost of furnishings and equipment, to be in addition to the amounts appropriated in items 8035-01 of section two of chapter five hundred and ninety-nine of the acts of nineteen hundred and forty-eight, 3504-62 of section two of chapter eight hundred and ten of the acts of nineteen hundred and forty-nine as amended, and 7735-02 of section two of chapter seven hundred and fifty-six of the acts of nineteen hundred and fifty-one	\$50,000 00
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Service of the Division of Building Construction.

8255-84	For the preparation of preliminary plans and descriptive specifications, as authorized by section thirty H of chapter seven of the General Laws, to be in addition to the amount appropriated in item 8654-31 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three	\$100,000 00
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Contingent Reserve.

8255-85	To cover unexpected contingencies in the cost of projects authorized by this act and by chapters seven hundred and ninety-five of the acts of nineteen hundred and fifty, seven hundred and fifty-six of the acts of nineteen hundred and fifty-one, six hundred and four of the acts of nineteen hundred and fifty-two, and six hundred and sixty of the acts of nineteen hundred and fifty-three, to be allocated by the commission on administration and finance with the approval of the governor and council, to be in addition to the amount appropriated in item 8654-32 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three	\$244,500 00
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SECTION 3. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments as authorized by section two of this act, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and fifty-seven. Notwithstanding any provision of this act, such notes shall be general obligations of the commonwealth.

SECTION 4. To meet the expenditure necessary in carrying out the provisions of this act or to refinance notes issued as provided in section three of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate, the sum of thirty-five million eight hundred and seven thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Capital Outlay Loan, Act of 1954, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and sixty-nine.

Approved May 25, 1954.

AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE SCUSSET BEACH IN THE TOWNS OF SANDWICH AND BOURNE. Chap. 472

Be it enacted, etc., as follows:

SECTION 1. The department of public works, with the approval of the governor and council, is hereby authorized to acquire by lease from the United States the land known as Scusset beach, and being a certain tract of land in the

towns of Sandwich and Bourne, situated on the northerly side of the Cape Cod Canal at the easterly extremity of said canal, containing three hundred and eighty acres, more or less, all as shown on a plan entitled "Proposed Recreational Development, Cape Cod Canal, Bourne-Sandwich, Department of Public Works of Massachusetts, Division of Waterways, July, 1953". Said lease shall be on such terms and conditions as the commissioner of public works, with the approval of the governor and council, shall determine; provided, that the rental of the leased premises shall not exceed one dollar.

SECTION 2. The department of public works is hereby authorized and directed to improve and develop said Scusset beach, and for said purposes may expend such sums as may be appropriated therefor. *Approved May 25, 1954.*

Chap.473 AN ACT RELATIVE TO THE JURISDICTION AND CONTROL OF
AN ATHLETIC FIELD IN THE CITY OF REVERE.

Be it enacted, etc., as follows:

SECTION 1. The jurisdiction and control of the athletic field in Paul Revere park in the city of Revere, provided for in chapter thirty-one of the acts of nineteen hundred and twenty-seven, shall be vested in the city manager or in such other authority as he may designate.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise. *Approved May 25, 1954.*

Chap.474 AN ACT PLACING THE OFFICE OF VETERANS' COUNSELLOR OF
VETERANS' SERVICES UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Any disabled veteran holding the position of veterans' counsellor of veterans' services in the office of the commissioner of veterans' services, who has been employed in said department for an aggregate time of three years or more prior to December thirty-first, nineteen hundred and fifty-three and who was so employed on said date, shall become subject to the civil service laws and rules, and his tenure of office shall be unlimited, subject, however, to said laws, but he shall be subjected by the division of civil service to a qualifying examination, and if he passes said examination shall be certified for said position and shall be deemed to be permanently appointed thereto without being required to serve any probationary period. *Approved May 25, 1954.*

AN ACT PROVIDING FOR THE PROPORTIONATE COST OF CONTROL MEASURES TO PREVENT THE SPREAD OF THE GYPSY MOTH WITHIN THE COMMONWEALTH. Chap. 475

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to institute forthwith a program for the prevention of the spread of the gypsy moth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter 148 of the acts of the current year is hereby amended by striking out section 1 and inserting in place thereof the following section:—*Section 1.* The commissioner of natural resources, hereinafter in this act called the commissioner, is hereby authorized and directed, with the approval of the board of natural resources, to institute a comprehensive program of gypsy and brown tail moth control within the commonwealth. The commissioner shall designate regions wherein serious infestation from said insect pest has been found. Such regions may consist of a town or city or a group of towns or a group of towns and cities and may include such areas as are determined by the commissioner to be so infested or so located as to require such control measures to prevent further spread of the gypsy moth. The commissioner shall cause notice to be given to each town or city in the region, as established by him, by notifying the mayor or the board of selectmen in writing that in his opinion such infestation requires emergency action by the department to prevent the spread of said insect pests and that the commonwealth is to proceed with a control program to be financed jointly by the commonwealth and the cities and towns within the specified region. If the mayor or selectmen desire a hearing on the matter of such determination, they shall notify the commissioner within ten days after the receipt of the notice. The commissioner shall grant a hearing on such requests within thirty days after receipt of such request, and, following such hearing, the decision of the commissioner shall be final. The cost of such control program including the interest on any notes issued under section four shall be apportioned fifty per cent to the commonwealth and fifty per cent to the cities and towns in the region, or regions, established hereunder. The portion of the cost, as determined by the commissioner, of such work allocated to the cities and towns within any such region shall be assessed in accordance with the provisions of section sixteen of chapter one hundred and thirty-two of the General Laws; provided, that no such assessment in any calendar year shall exceed fifty per cent of the maximum required to be expended in said section sixteen. The commissioner shall notify the state tax commissioner on or before January first of each year of the esti-

Regional
control and
apportionment
of costs,
authorized.

mated liability to be apportioned to each city or town in any such region, and, on or before October fifteenth of each year, the commissioner shall certify to the state treasurer the amount to be collected and paid to the state treasurer, as provided by section twenty of chapter fifty-nine of the General Laws; provided, however, that on or before April first of the current year, the commissioner shall notify the state tax commissioner of the estimated liability to be apportioned to each city or town in any such region for the year nineteen hundred and fifty-four. For the purpose of this section the commissioner and the chief moth superintendent shall have the powers granted to them by applicable provisions of chapter one hundred and thirty-two of the General Laws.

SECTION 2. Notwithstanding the provisions of section one of chapter one hundred and forty-eight of the current year, as amended by section one of this act, the mayor of any city or the selectmen of any town may elect to postpone the initial payment required thereby until nineteen hundred and fifty-five and may make payment in three equal annual installments, upon notice in writing to the state tax commissioner of such election. In the event of such election the state tax commissioner shall state in his certification to the state treasurer, required by said section one, the amount to be collected under such election.

Approved May 26, 1954.

Chap. 476

AN ACT IN FAVOR OF PHILANDER W. SOUTHWORTH.

Be it enacted, etc., as follows:

SECTION 1. In order to correct a mistake in the pension being paid to Philander W. Southworth, a former employee of the department of public works, who initially qualified for such pension under the provisions of chapter four hundred and three of the acts of nineteen hundred and forty-eight, as amended by chapter six hundred and sixty-three of the acts of nineteen hundred and fifty, and chapter four hundred and forty-one of the acts of nineteen hundred and fifty-three, and who since July first, nineteen hundred and fifty-three, has been receiving full benefits thereunder, the department of public works is hereby authorized and directed to pay such sums as the said Philander W. Southworth was entitled to receive as a pension from July twenty-fourth, nineteen hundred and fifty, the effective date of the said chapter six hundred and sixty-three, until July first, nineteen hundred and fifty-three, the date upon which payments on the claim of the said Southworth were commenced.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1954.

AN ACT AUTHORIZING THE CITY OF MALDEN TO BORROW *Chap.477*
MONEY FOR THE DEVELOPMENT OF FORESTDALE CEME-
TERY IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Malden may borrow during the current year the sum of fifty thousand dollars for developing land in the Forestdale cemetery for burial purposes and for the construction of paths and avenues and embellishing the grounds in said developed area, and may issue bonds or notes therefor which shall bear on their face the words, City of Malden, Forestdale Cemetery Loan, Acts of 1954. Said loan shall be payable in not more than five years from its date. The proceeds from the sale of the exclusive rights of burials and erecting tombs and cenotaphs upon any of the lots of Forestdale cemetery, and of ornamenting the same, shall be paid into the city treasury and shall be kept separate from other funds and be appropriated to reimburse the city for its payment of installments on the aforementioned loan.

Indebtedness incurred under this act shall be within the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1954.

AN ACT PROVIDING THAT JUDGES OF PROBATE MAY, IN THE *Chap.478*
EVENT OF THE REMOVAL OF AN ADMINISTRATOR, EXECUTOR,
GUARDIAN, CONSERVATOR OR TRUSTEE, FILL SUCH VACANCY
BY APPOINTING A SUCCESSOR WITHOUT THE FILING OF A
SEPARATE PETITION FOR THAT PURPOSE.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 195 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — The court, upon such notice as it considers reasonable, may, if the petition for removal contains a prayer therefor, appoint a suitable person to fill the vacancy caused by such removal, without the filing of a separate petition for that purpose, — so as to read as follows: — *Section 11.* If an executor or administrator becomes insane or otherwise incapable of performing the trust, or is unsuitable therefor, or if an executor or administrator who resides out of the commonwealth, having been duly cited by the probate court, neglects to render his accounts and to settle the estate, the probate court may remove him; and thereupon the other executor or administrator, if any, may proceed in performing the trust as if the one removed were dead or, if there is no other executor or administrator, the court may appoint an administrator as provided in section nine of

G. L. (Ter.
Ed.), 195, § 11,
amended.

Appointment
of successor
after removal
of executor
or administra-
tor without
petition to
probate court.

chapter one hundred and ninety-three. The court, upon such notice as it considers reasonable, may, if the petition for removal contains a prayer therefor, appoint a suitable person to fill the vacancy caused by such removal, without the filing of a separate petition for that purpose.

G. L. (Ter. Ed.), 201, § 33, etc., amended.

Appointment of successor after removal of guardian.

SECTION 2. Section 33 of chapter 201 of the General Laws, as amended by chapter 420 of the acts of 1950, is hereby further amended by inserting after the first sentence the following sentence: — If the petition for removal contains a prayer therefor the court may, upon such notice as it considers reasonable, appoint a successor to fill any vacancy caused by such removal, without the filing of a separate petition for that purpose, — so as to read as follows: — *Section 33.* If a guardian or conservator becomes insane or otherwise incapable of performing his trust or is unsuitable therefor, the probate court, after notice to him and to all other persons interested, may remove him. If the petition for removal contains a prayer therefor the court may, upon such notice as it considers reasonable, appoint a successor to fill any vacancy caused by such removal, without the filing of a separate petition for that purpose. Upon the request of a guardian or conservator, the probate court may allow him to resign his trust. Upon such removal or resignation, and upon the death of a guardian or conservator, another may be appointed in his stead by the same court.

G. L. (Ter. Ed.), 203, § 12, amended.

Appointment of successor after removal of trustee.

SECTION 3. Section 12 of chapter 203 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — If the petition for removal contains a prayer therefor, the court may, upon such notice as it considers reasonable, appoint a successor to fill the vacancy caused by such removal, without the filing of a separate petition for that purpose, — so as to read as follows: — *Section 12.* The supreme judicial court, the superior court or the probate court may, upon petition of a party beneficially interested in a trust under a written instrument, and after notice to the trustee and all persons interested, remove the trustee if it finds that such removal is for the interests of the beneficiaries of the trust or if he has become insane or otherwise incapable or is unsuitable therefor. If the petition for removal contains a prayer therefor, the court may, upon such notice as it considers reasonable, appoint a successor to fill the vacancy caused by such removal, without the filing of a separate petition for that purpose.

Approved May 26, 1954.

Chap. 479 AN ACT AUTHORIZING THE TOWN OF LEE TO USE CERTAIN MONEY FOR THE CONSTRUCTION OF DAMS AND OTHER FACILITIES ON WASHINGTON MOUNTAIN BROOK WATER SHED AREA.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Lee may

use the unexpended balance of a loan issued September first, nineteen hundred and forty-eight for the construction of one or more dams, pipe lines and auxiliary facilities on Washington Mountain brook water shed area.

SECTION 2. This act shall take full effect upon its acceptance by a majority vote of the town at a regular or special town meeting, but not otherwise.

Approved May 26, 1954.

AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MAKE REPAIRS TO THE STORES BUILDING AND COLD STORAGE BUILDING AT THE STATE FISH PIER IN GLOUCESTER HARBOR. Chap.480

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to make needed repairs to the stores building and cold storage building, so-called, situated on the state fish pier in Gloucester harbor. For such repairs the department is hereby authorized to expend such sums as may be appropriated therefor.

Approved May 26, 1954.

AN ACT FURTHER REGULATING THE ISSUANCE OF MOTOR VEHICLE PLATES TO INTERSTATE CARRIERS. Chap.481

Be it enacted, etc., as follows:

The first paragraph of section 10 of chapter 159B of the General Laws, as appearing in section 2 of chapter 376 of the acts of 1946, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:—One interstate distinguishing plate shall be issued by the department annually to each such licensee for each vehicle of said licensee operating over such ways upon application to the department and payment of a fee of five dollars per plate, which plate shall bear an identifying number and shall be displayed as provided in section nine.

G. L. (Ter. Ed.), 159B, § 10, etc., amended.

Interstate carrier plates.

Approved May 26, 1954.

AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY A CERTAIN PARCEL OF LAND IN THE CITY OF MEDFORD TO MEDFORD POST 1012, VETERANS OF FOREIGN WARS, INC. Chap.482

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, in consideration of a sum not to exceed five thousand dollars, is hereby authorized and directed to convey, in the name and on behalf of the commonwealth, to Medford Post 1012, Veterans of Foreign Wars, Inc., for the purpose of enabling said Post to establish a post headquarters, a certain parcel of land under the control of the commission containing 50,500 square feet, more or less, situated in the city of Medford

at the southeasterly corner of Mystic Valley parkway and Mystic avenue and shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, Mystic Valley Parkway, Medford, Plan of Land, January 18, 1954, Benjamin W. Fink, Director of Park Engineering, accession No. 32139". Said parcel is a part of the lands taken from the city of Medford by an order of taking dated April twentieth, nineteen hundred and thirty-nine, and recorded with Middlesex south district registry of deeds, book 6291, page 535.

SECTION 2. The jurisdiction in and over the land described in section one shall revert to and revest in the commonwealth whenever such land shall cease to be used for the purpose set forth in this act. In the event that the property is not used for the purpose set forth in this act on or before July first, nineteen hundred and fifty-five, said land shall revert to and revest in the commonwealth.

Approved May 26, 1954.

Chap. 483 AN ACT AUTHORIZING THE TRANSFER BY THE COMMONWEALTH OF CERTAIN LAND SITUATED IN MARTHA'S VINEYARD TO THE MARTHA'S VINEYARD REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

The board of natural resources, on behalf of the commonwealth, is hereby authorized and directed to convey by a sufficient deed, approved as to its form by the attorney general, to the Martha's Vineyard regional school district for school purposes, not more than fifteen acres of land adjacent to land to be acquired by said district on the southerly side of the Edgartown-Tisbury highway, and to be conveyed to said district by metes and bounds as approved by the commissioner of natural resources. If the authority given under this act is not exercised within five years of its effective date, such authority shall terminate. In the event that said land ceases to be used for the purposes named herein for a period of five years, said land shall revert to the board of natural resources.

Approved May 26, 1954.

Chap. 484 AN ACT INCREASING THE SALARY OF THE CHAIRMAN OF THE MILK CONTROL COMMISSION.

Be it enacted, etc., as follows:

The third paragraph of section 7 of chapter 20 of the General Laws, as appearing in section 1 of chapter 604 of the acts of 1953, is hereby amended by striking out, in lines 3 and 4, the words "two thousand five hundred" and inserting in place thereof the words:—four thousand,—so that the second sentence will read as follows:—He shall receive an annual salary of four thousand dollars and his actual expenses for travel between his home and the office of the commission and for all other necessary travel in the performance of his duties.

Approved May 26, 1954.

G. L. (Ter. Ed.), 20, § 7, etc., amended.

Salary.

AN ACT INCREASING THE AMOUNT OF FUNDS WHICH MAY BE BORROWED FOR THE PURPOSES OF THE BURLINGTON WATER DISTRICT IN THE TOWN OF BURLINGTON. Chap.485

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 635 of the acts of 1949 is hereby amended by striking out, in line 5, the word "three" and inserting in place thereof the word: — five, — so as to read as follows: — *Section 4.* For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Burlington Water District Loan, Act of 1949. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 2. This act shall take full effect upon its acceptance by a majority vote of the voters of the Burlington Water District at a district meeting held before September first in the current year. *Approved May 26, 1954.*

AN ACT REQUIRING THE COMMISSIONER OF BANKS TO PREPARE A LIST OF STOCKS WHICH ARE LEGAL INVESTMENTS OF SAVINGS BANKS. Chap.486

Be it enacted, etc., as follows:

Clause Fifteenth of section 54 of chapter 168 of the General Laws is hereby amended by striking out subdivision (a), as most recently amended by section 10 of chapter 215 of the acts of 1943, and inserting in place thereof the following subdivision: —

(a) Annually, not later than July first, the commissioner shall prepare a list of all stocks, bonds, notes, and interest bearing obligations which are then legal investments under any provision of clauses Second, Second A, Third, Third A, Fifth, Fifth A, Fifth B, Sixth, Sixth A, Seventh, Seventh B, Seventh C, paragraph (1) of subdivision (c) of clause Ninth, clause Tenth, and subdivision (c) of clause Fifteenth. Said list shall at all times be open to public inspection and a copy thereof shall be sent to every savings bank and to every trust company having a savings department. In the preparation of any list hereunder which the commissioner is required to prepare or furnish, he may employ such expert assistance as he deems proper or may rely upon information contained in publications which he deems authoritative in reference to such matters; and he shall be in no way held responsible or liable for the omission from such list of the

G. L. (Ter. Ed.), 168, § 54, etc., amended.

Preparation by bank commissioner of approved list of investments for savings banks, required.

name of any state or political subdivision thereof, or corporation, the stocks, bonds, notes or other interest bearing obligations of which conform to this section, or of any stocks, bonds, notes or other interest bearing obligations which so conform, nor shall he be held responsible or liable for the inclusion in such list of any such names or stocks, bonds, notes or other interest bearing obligations which do not so conform.

Approved May 26, 1954.

Chap. 487 AN ACT RELATIVE TO LIENS FOR WATER RATES AND CHARGES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 40, § 42A, etc., amended.

Water rates and charges, when to be lien upon real estate.

SECTION 1. Section 42A of chapter 40 of the General Laws, as most recently amended by section 1 of chapter 380 of the acts of 1941, is hereby further amended by striking out the first three sentences and inserting in place thereof the following two sentences: — If the rates and charges due to a city, town or water district, which accepts this section and sections forty-two B to forty-two F, inclusive, by vote of its city council or of the voters in town or district meeting and, by its clerk, files a certificate of such acceptance in the proper registry of deeds, for supplying or providing for water or rendering service or furnishing materials in connection therewith to or for any real estate at the request of the owner or tenant are not paid on or before their due date as established by local regulations, ordinances or by-laws, which due dates shall be so established as to require payments at least as often as semi-annually, such rates and charges, together with interest thereon and costs relative thereto, shall be a lien upon such real estate as provided in section forty-two B. The register of deeds shall record such certificate of acceptance in a book to be kept for the purpose, which shall be kept in an accessible location in the registry.

G. L. (Ter. Ed.), 40, §§ 42B, 42C, 42D, etc., amended.

Lien, when to take effect.

SECTION 2. Said chapter 40 is hereby further amended by striking out sections 42B, 42C and 42D, as amended, and inserting in place thereof the following three sections: — *Section 42B.* Such lien shall take effect by operation of law on the day immediately following the due date of such rate or charge and, unless dissolved by payment or abatement, shall continue until such rate or charge has been added to or committed as a tax under section forty-two C, and thereafter, unless so dissolved, shall continue as provided in section thirty-seven of chapter sixty, except that the date provided for termination of the lien in case of a recorded alienation shall be at the expiration of two years from October first of the year of such addition or committal. Anything in this section to the contrary notwithstanding, if any such rate or charge is not added to or committed as a tax under section forty-two C on or before December thirty-first of the year immediately following the year in which such rate or charge becomes due, the lien for such rate or charge shall terminate on October first of the third year following the year in which such rate or charge becomes due.

Dissolution of lien.

Notwithstanding such lien any such overdue rate or charge may be collected through any legal means, including the shutting off of water, which may be deemed advisable; provided, that after the termination of such a lien, no city, town or water district shall attempt to enforce, by shutting off the water, collection of such rate or charge from any person, not liable therefor, who has succeeded to the title or interest of the person incurring such rate or charge. All such rates and charges excluded by court decree under section seventy-six B of chapter sixty shall, to the extent that they were properly chargeable to the person owning, or to the tenant occupying, the premises for which such rates and charges were incurred, be recoverable from such person or tenant, as the case may be, in an action of contract or otherwise. If at the time of the entry of such decree such person or tenant is still the owner or tenant of the premises, whether through redemption or otherwise, such rates and charges to the extent that they were properly chargeable to him, may be enforced in any other manner provided or available for collection and enforcement of water rates and charges.

Shutting off
of water,
permitted.

Section 42C. If a rate or charge for which a lien is in effect under section forty-two B has not been added to or committed as a tax and remains unpaid when the assessors are preparing a real estate tax list and warrant to be committed by them under section fifty-three of chapter fifty-nine, the board or officer in charge of the water department shall certify such rate or charge to the assessors, who shall forthwith add such rate or charge to the tax on the property to which it relates and commit it with their warrant to the collector of taxes as a part of such tax. If the property to which such rate or charge relates is tax exempt, such rate or charge shall be committed as the tax.

Duties of
collectors in
cases of
unpaid
accounts.

Section 42D. Except as otherwise provided, the provisions of chapters fifty-nine and sixty shall apply, so far as pertinent, to all rates and charges certified to the assessors under section forty-two C. Without limiting the generality of the foregoing, upon commitment as a tax or part of a tax under section forty-two C, all such rates and charges shall be subject to the provisions of law relative to interest on the taxes of which they become, or, if the property were not tax exempt would become, a part; and the collector of taxes shall have the same powers and be subject to the same duties with respect to such rates and charges as in the case of annual taxes upon real estate, and the provisions of law relative to the collection of such annual taxes, the sale or taking of land for the non-payment thereof and the redemption of land so sold or taken shall, except as otherwise provided, apply to such rates and charges.

Unpaid
accounts to
bear interest,
etc.

SECTION 2A. The fifth sentence of section 23 of chapter 60 of the General Laws, inserted by section 3 of chapter 478 of the acts of 1943, is hereby amended by striking out, in lines 15 and 16, the words "of this chapter or section forty-two B of chapter forty".

G. L. (Ter.
Ed.), 60,
§ 23, etc.,
amended.

Effective
dates.

SECTION 3. This act shall take effect on January first, nineteen hundred and fifty-five. Sections forty-two A to forty-two F, inclusive, of chapter forty of the General Laws, as amended or affected by this act, shall continue to apply, without further acceptance, to all cities, towns, water districts and fire districts supplying water to which said sections applied immediately prior to said effective date. Said sections, as amended or affected by this act, shall also apply to all cities, towns, water districts and fire districts authorized to supply water which after said date accept said sections, and file a certificate of such acceptance in the proper registry of deeds, as provided in said section forty-two A, as amended by section one of this act, or which, having accepted said sections prior to said date, thereafter file such certificate as so provided. Said sections, as in effect immediately prior to the effective date of this act, shall continue in effect in cities, towns, water districts and fire districts to which they applied and govern the liens thereof for water rates and charges having a due date prior to January first, nineteen hundred and fifty-five; and said sections, as amended or affected by this act, shall not apply to water rates and charges having such a due date.

Approved May 26, 1954.

Chap. 488 AN ACT PROVIDING FOR AN ADDITIONAL ASSISTANT DISTRICT ATTORNEY FOR THE SUFFOLK DISTRICT.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 12,
§ 14, etc.,
amended.

SECTION 1. Section 14 of chapter 12 of the General Laws is hereby amended by striking out, in line 5, as appearing in section 2 of chapter 423 of the acts of 1948, the word "twelve" and inserting in place thereof the word: — thirteen.

G. L. (Ter.
Ed.), 12,
§ 16, etc.,
amended.

SECTION 2. Section 16 of said chapter 12, as most recently amended by section 2 of chapter 804 of the acts of 1951, is hereby further amended by striking out, in line 7, the word "four" and inserting in place thereof the word: — five.

Approved May 26, 1954.

Chap. 489 AN ACT REGULATING THE WORKING HOURS OF THE UNIFORMED BRANCH OF THE STATE POLICE.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 22,
§ 9D, etc.,
amended.

Working hours
of uniformed
branch of the
state police,
established.

SECTION 1. Chapter 22 of the General Laws is hereby amended by striking out section 9D, as amended by chapter 487 of the acts of 1949, and inserting in place thereof the following section: — *Section 9D.* All members of the uniformed branch of the state police appointed under section nine A shall be given two days off in each eight, and the commissioner, with the approval of the governor, may grant further time off to such members, in every instance without loss of compensation. Each day off shall consist of at least thirty-nine consecutive hours, and shall commence

at five o'clock post meridian, or at the end of the officer's tour of duty if earlier than five o'clock post meridian, and shall be granted so as to provide an interval of not less than two nor more than four days between days off. The commissioner may, in case of any public emergency, or of any unusual demand for the services of the members of the division of state police, prevent any member of the division from taking the day off at the time when he is entitled thereto, or at the time assigned therefor; provided, that such day off shall be granted to him as soon thereafter as is practicable.

SECTION 2. This act shall take effect on January first, nineteen hundred and fifty-five.

Effective
date.

Approved May 26, 1954.

AN ACT RELATIVE TO THE RETURNS FOR TAXATION PURPOSES *Chap.490*
BY TELEPHONE COMPANIES.

Be it enacted, etc., as follows:

Subdivision (4) of section 52A of chapter 63 of the General Laws is hereby amended by striking out clause Fifth and inserting in place thereof the following clause: —

G. L. (Ter.
Ed.), 63,
§ 52A,
amended.

Fifth. — If the return is by a telephone corporation doing business both within and without the commonwealth, the number of telephones used or controlled by it within the commonwealth and the total number of telephones used or controlled by it, as at the end of the taxable year, or such other information as the commissioner may require when the telephone instrument formula is inapplicable.

Certain
returns by
telephone
companies,
regulated.

In the event a tentative return is so made, a final return shall be made on or before the tenth day of October of the same year.

Approved May 26, 1954.

AN ACT PROVIDING FOR THE ABOLITION BY THE DEPARTMENT OF PUBLIC WORKS OF THE GRADE CROSSING OVER THE BOSTON AND MAINE RAILWAY AT MOODY AND CARTER STREETS IN THE CITY OF WALTHAM. *Chap.491*

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to abolish the grade crossing over the Boston and Maine Railway at Moody and Carter streets in the city of Waltham.

Approved May 26, 1954.

AN ACT AUTHORIZING CERTAIN RETIRED PERSONS AND THOSE CLAIMING UNDER THEM TO WAIVE THEIR RIGHTS TO ANY PORTION OF THEIR RETIREMENT ALLOWANCES. *Chap.492*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to permit at once persons receiving pensions to waive certain rights therein, therefore

Emergency
preamble.

it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 32, § 5, amended.

Subdivision (2) of section 5 of chapter 32 of the General Laws is hereby amended by adding at the end thereof the following paragraph:—

Waiver of certain state retirement benefits, authorized.

(g) Any member in service retired for superannuation or any person claiming under any such retired employee whether as beneficiary, dependent or otherwise, may waive and renounce for himself, his heirs and legal representatives any portion of the pension due him from the commonwealth of Massachusetts, or any of its political subdivisions, on account of service rendered. *Approved May 27, 1954.*

Chap. 493 AN ACT TO INDEMNIFY THE COMMONWEALTH AND CITIES AND TOWNS THEREOF IN CERTAIN VETERANS' BENEFITS CASES.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately for indemnification to the commonwealth and cities and towns thereof in certain veterans' benefits cases, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 115, § 5, etc., amended.

Public indemnification for granting of certain veterans' benefits, provided.

Section 5 of chapter 115 of the General Laws is hereby amended by adding at the end of the fourth paragraph, as appearing in section 2 of chapter 535 of the acts of 1948, the following two sentences:— In the event that the necessity for the granting of veterans' benefits to any veteran or any dependent of a veteran is caused by unemployment, accident or illness of or to such veteran or dependent and monetary remuneration is provided therefor whether by workmen's compensation, accident or health insurance, or otherwise, or by legal responsibility of a tortfeasor liable for financial damages to such veteran or dependent therefor, the veterans' agent or the commissioner may require such veteran or dependent to assign to him the whole or any portion of the financial proceeds to be realized from such workmen's compensation, accident or health insurance, or otherwise, or the whole or any portion of the financial damages to be recovered from such tortfeasor whether by settlement, arbitration, court action, or otherwise. Such assignment shall operate as a lien on such financial proceeds or financial damages to an amount equivalent to the total expenditures of veterans' benefits allowed to such veteran or dependent, and said lien may be enforced by petition to the district court within the jurisdiction of which the city or town of payment is located. *Approved May 27, 1954.*

Establishment of lien.

AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT AN
ADJOURNED ANNUAL TOWN MEETING OF THE TOWN OF
DEDHAM HELD IN THE YEAR NINETEEN HUNDRED AND
FIFTY-FOUR. Chap. 494

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of Dedham at the adjourned sessions of the annual town meeting held in the year nineteen hundred and fifty-four, and all acts done in pursuance thereof, are hereby confirmed and made valid, notwithstanding the inadequacies of the notice of adjournments as required by section three of chapter three hundred and fifty-eight of the acts of nineteen hundred and twenty-six, as amended, to the same extent as if the said adjourned sessions had been called, held, conducted and adjourned in strict compliance with law.

SECTION 2. This act shall take effect upon its passage.

Approved May 27, 1954.

AN ACT RELATING TO THE LOCATION OF THE REFUSE DISPOSAL INCINERATOR TO BE CONSTRUCTED IN THE CITY OF BOSTON BY THE METROPOLITAN DISTRICT COMMISSION. Chap. 495

Be it enacted, etc., as follows:

SECTION 1. Section 9A of chapter 92 of the General Laws, inserted by section 1 of chapter 559 of the acts of 1952, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The commission shall construct, maintain and operate, at the existing dump on Grove street in the town of Watertown, provided said town of Watertown accepts this section, on the wastelands in the vicinity of the line between the city of Revere and the town of Saugus, on the banks of the Neponset river off Granite avenue in the town of Milton, in the vicinity of the Mystic Valley parkway in the city of Medford, and in such places in the city of Boston as the city council of said city, subject to the provisions of the charter of said city, shall approve, such refuse disposal incinerators as shall be required to provide adequate disposal facilities for such of the cities of Boston, Chelsea, Everett, Lynn, Malden, Medford, Quincy, Revere and Somerville and of the towns of Arlington, Belmont, Lexington, Milton, Nahant, Swampscott, Watertown and Winthrop as accept this section; provided, however, that the proposed incinerator shall not be located in the Cummins Highway section of the city of Boston.

SECTION 2. Said chapter 559 is hereby amended by striking out section 3 and inserting in place thereof the following: — *Section 3.* No incinerator, unless constructed at a place in the city of Boston approved by the city council of said city as provided in section nine A of chapter ninety-two of the General Laws, shall be constructed under the provisions of this act in any city or town until approval has been

G. L. (Ter. Ed.), 92, § 9A, etc., amended.

Location of certain refuse disposal incinerators, authorized.

granted by the city council and mayor of the city or the selectmen of the town.

SECTION 3. This act shall take effect upon its passage.

Approved May 27, 1954.

Chap.496 AN ACT RELATIVE TO THE CONTINUATION OF RENT CONTROL.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to clarify the provisions of law for continuing after June thirtieth in the current year an act relative to rent control passed in the year nineteen hundred and fifty-three, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 434 of the acts of 1953 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — This act and all powers delegated herein shall terminate on June thirtieth, nineteen hundred and fifty-four; provided, however, that any city or town in which rent controls are in effect may vote to continue the provisions of this act in accordance with section twelve for an added period not exceeding nine months from said June thirtieth.

SECTION 2. This act shall take effect as of the effective date of chapter four hundred and thirty-four of the acts of nineteen hundred and fifty-three, and to the fullest possible extent shall be construed as declaratory of the provisions of said chapter four hundred and thirty-four.

Approved May 27, 1954.

Chap.497 AN ACT AUTHORIZING THE TOWN OF BILLERICA TO REIMBURSE CERTAIN TAXES ERRONEOUSLY ASSESSED AND COLLECTED FROM ISABELLE A. AND OWEN K. McGUIRE.

Be it enacted, etc., as follows:

SECTION 1. The town of Billerica is hereby authorized to appropriate and pay to Thomas K. McGuire, administrator of the estates of Isabelle A. McGuire and Owen K. McGuire, the sum of two hundred and fifty dollars in reimbursement of taxes assessed and collected by said town of Billerica from said Isabelle A. and Owen K. McGuire commencing in the year nineteen hundred and twelve upon certain real estate located in said town of Billerica which was erroneously assessed to said Isabelle A. and Owen K. McGuire.

SECTION 2. Any action taken by the town of Billerica at a town meeting during the current year pursuant to authority contained in section one of this act shall be as valid and effective as though this act were in effect at the time of the posting of the warrant for said town meeting.

SECTION 3. This act shall take effect upon its passage.

Approved May 27, 1954.

AN ACT TO AUTHORIZE FIRE DISTRICT NUMBER TWO IN THE TOWN OF SOUTH HADLEY TO EXTEND ITS LIMITS. *Chap. 498*

Be it enacted, etc., as follows:

SECTION 1. The limits of Fire District Number Two in the Town of South Hadley, as established under chapter two hundred and thirty-nine of the acts of nineteen hundred and nine, and as extended by chapter eighty-two of the acts of nineteen hundred and thirty-one, and chapter one hundred and twenty-seven of the acts of nineteen hundred and forty-nine, are hereby further extended to include the territory lying in the town of Granby in the county of Hampshire, bounded and described as follows: — Beginning at a point on the northerly side of Amherst road (known as Massachusetts Highway No. 116), at the Granby-South Hadley town line, said point being also the intersection of the westerly side of the old County road and the Amherst road; thence northerly along the westerly side of the old County road to a point; thence crossing said old County road to land owned by Notch Machine and Lumber Company, Inc.; thence continuing easterly along land of Notch Machine and Lumber Company, Inc. and along the northerly line of land owned by Stanley J. Levreault and Bernadette Levreault to the northerly line of Amherst road; thence running easterly across Amherst road and continuing easterly in a line which is a continuation of said Levreault's northerly line for a distance of five hundred eighty-three feet; thence southwesterly in a line parallel with Amherst road to Batchelor brook; thence continuing southerly along said Batchelor brook to the line of Fire District Number Two in the Town of South Hadley; thence following the easterly and southerly line of Fire District Number Two in the Town of South Hadley to the south side of Amherst road; thence crossing said Amherst road and running easterly on the northerly side of Amherst road to the point of beginning.

The territory hereby annexed to said district shall be subject to all the rights, privileges, liabilities and powers belonging to said district under the provisions of said chapter two hundred and thirty-nine of the acts of nineteen hundred and nine, as amended, and under the provisions of chapter five hundred and twenty-nine of the acts of nineteen hundred and nine.

SECTION 2. Whenever a tax is duly voted by said district the clerk shall apportion, in accordance with the valuation of property situate in each part of said district, all and singular, such sums of money voted to be raised by said district for the purposes specified in this act and in chapter two hundred and thirty-nine, as amended, and chapter five hundred and twenty-nine, both of the acts of nineteen hundred and nine, and shall render a certified copy of the vote, with the apportionment made by said clerk, to the assessors of the towns of South Hadley and Granby. Said tax shall

be assessed, collected and deposited in accordance with the provisions of chapter five hundred and twenty-nine of the acts of nineteen hundred and nine.

SECTION 3. This act shall take effect upon its passage.

Approved May 27, 1954.

Chap.499 AN ACT AUTHORIZING THE NEW BEDFORD, WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY TO INSURE ITS EMPLOYEES UNDER THE MASSACHUSETTS EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

The New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority is hereby authorized to insure its employees under the provisions of the Employment Security Law and to become liable for payments instead of contributions as provided in subsection (o) of section fourteen of chapter one hundred and fifty-one A of the General Laws.

Approved May 27, 1954.

Chap.500 AN ACT PROVIDING FOR THE DIVISION OF WARD SIX INTO TWO WARDS AND INCREASING TO EIGHT THE NUMBER OF WARDS IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of chapter one hundred and sixty-nine of the acts of eighteen hundred and eighty-one, or amendments thereof, the present territory comprising ward six in the city of Malden shall be divided into two wards, so that they shall contain, as nearly as may be consistent with well defined limits to each of said wards, an equal number of voters. Said wards shall be designated by the city council as ward six and ward eight.

SECTION 2. The city council shall, as soon as may be after the acceptance of this act as provided in section three, and not later than December in the current year, make a redivision of said ward six into wards six and eight as hereinbefore provided, and voting precincts as provided in sections one and two of chapter fifty-four of the General Laws. For all elections, preliminary elections and primaries held in said city after ward six has been redivided into wards six and eight, as hereinbefore provided, and prior to the first biennial state election at which representatives are to be elected from new representative districts established under the provisions of the constitution, ward six as existing previous to such redivision shall continue and for all such purposes the election officers shall be appointed and hold office and voting lists shall be prepared and all other things required by law shall be done as if there had been no such redivision; provided, that the city council may for the purposes of any municipal election held prior to said state election, order that the new wards six and eight shall be in

effect and thereupon the mayor of said city may make such adjustments in the personnel and assignments of election officers as may be necessary.

SECTION 3. This act shall be submitted for acceptance to the registered voters of the city of Malden at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the General Court in the current year providing for the division of ward six into two wards and increasing to eight the number of wards in the city of Malden, be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved May 27, 1954.

AN ACT RELATIVE TO THE RENEWAL FEES OF CERTAIN
LICENSES ISSUED BY THE BOARD OF REGISTRATION OF
HAIRDRESSERS. Chap.501

Be it enacted, etc., as follows:

Section 87CC of chapter 112 of the General Laws is hereby amended by striking out the schedule, as amended by section 2 of chapter 537 of the acts of 1953, and inserting in place thereof the following schedule: —

G. L. (Ter.
Ed.), 112,
§ 87CC, etc.,
amended.

APPLICANT.	Original.	Renewal.	
School	\$50 00	\$25 00	Schedule of fees for renewal of licenses.
Beauty shop	10 00	5 00	
Manicure shop	10 00	5 00	
Hairdressers ¹	5 00	3 00	
Hairdressers ²	10 00	3 00	
Hairdressers (non-residents).	25 00	3 00	
Operators	10 00	3 00	
Operators (re-examination).	3 00	3 00	
Operators (non-residents)	20 00	3 00	
Manicurist	3 00	3 00	
Manicurist, re-examination	2 00	3 00	
Manicurist (non-residents)	5 00	3 00	
Instructors	15 00	3 00	
Instructors (re-examination).	10 00	3 00	
Demonstrators	5 00	3 00	
Duplicate certificate of registration, \$1.00.			
New certificate of registration to registered shop owners upon change of location, \$10.00.			

¹ \$5.00 fee on hairdressers apply to such operators who have paid the \$10.00 fee for examination or the non-resident operators who have paid the \$20.00 fee.

² \$10.00 fee on hairdressers. This applies to such operators who have paid only \$5.00 for the operator's examination, or a \$15.00 fee for the non-resident operator's examination.

Approved May 27, 1954.

AN ACT AUTHORIZING THE TOWN OF SHREWSBURY TO CON-
STRUCT AND OPERATE A SYSTEM OF SEWERAGE AND SEWAGE
DISPOSAL. Chap.502

Be it enacted, etc., as follows:

SECTION 1. The town of Shrewsbury, hereinafter called the town, may lay out, construct, maintain and operate a

system or systems of main drains and common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system or systems of sewerage, inclusive of sewage treatment and disposal, and may construct such sewers or drains or other works over or under land or waters in said town, and in the town of Northborough, as may be necessary to construct sewage treatment works and to conduct and discharge treated sewage into the Assabet river below Hop brook, so called, in the town of Northborough. The town of Shrewsbury, for the said purposes, may make, lay and maintain in said town such drains as it deems best; and for the purposes aforesaid, the town may, within its limits and in the town of Northborough, make and maintain subdrains, and with the approval of the department of public health may discharge the water from such subdrains into any brook, stream or watercourse within the town of Shrewsbury, and also into the aforesaid Hop brook in said town of Northborough.

SECTION 2. The town may make and maintain in any way in Shrewsbury, where drains or common sewers are constructed, such connecting drains, subdrains and sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The town may at the meeting when this act is accepted, or at any subsequent meeting, as hereinafter provided, vote to authorize the town manager to appoint a board of three sewer commissioners as soon as practicable after acceptance of the act. Said board shall consist of three members, who shall be citizens of the town, one of whom shall hold office until the next annual town meeting, one until the second annual town meeting and one until the third annual town meeting following their respective appointments, and until their successors are qualified, and thereafter at each annual town meeting, the town manager shall appoint one member of the board to serve for three years and until his successor is qualified.

Until the appointment of a board of sewer commissioners by the town manager, the existing sewerage survey committee and the town manager, or, in the absence of the town manager, the chairman of the board of selectmen shall act as the board of sewer commissioners.

The town manager shall appoint at any town meeting not later than the second annual meeting after the commencement of construction hereunder a board of three sewer commissioners as herein provided. Nothing in this act shall vary the effect of chapter five hundred and fifty-nine of the acts of nineteen hundred and fifty-three.

SECTION 4. Until the board of sewer commissioners has been appointed as provided in section three, but in no event later than the second annual meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by the acting board of sewer commissioners. This acting board shall serve without pay

and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, or the survey committee acting as such, as the case may be.

SECTION 5. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, and in the town of Northborough, necessary for accomplishing any purpose mentioned in this act, and may in said town and in the town of Northborough construct and maintain such treatment works, drains and sewers and subdrains under or over any land, bridge, watercourse, railroad, railway, electric transmission line, private way, boulevard or other public way, or within the location of any railroad or electric transmission line and may enter upon and dig up any private land, public land, private way, public way, railroad location or electric transmission line location for the purpose of laying such drains and sewers and subdrains, and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, or land of an electric transmission line corporation and that they shall not enter upon or construct any drain or sewer within the location of any railroad corporation or within the location of any electric transmission line location except at such time and in such manner as they may agree upon with such corporation, or in case of failure to agree, as may be approved by the department of public utilities; and provided, further, that they shall not take any land or easements in the town of Northborough except such as may be approved by the department of public health.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 7. The town shall by vote determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay; provided, that it shall pay not less than one fourth nor more than two thirds of the whole cost of said system or systems of sewerage and sewage disposal. In providing for the payment of the remaining portion of the cost of said system or systems of sewerage and sewage disposal, including the use of said system or systems by abutters to the system or systems of sewerage and sewage disposal, including public and private institutions, the town may avail itself of any or all of the methods permitted by the General Laws, including annual charges, as provided for in section sixteen of chapter eighty-three thereof, which may be applied to the payment of the cost of operation, mainte-

nance and repairs of the system or systems of sewerage and sewage disposal, and to defray also such portion of the cost of the construction of said system or systems as the town shall by vote determine. The charges and assessments shall be paid by every person or institution who enters his or its particular sewer into the system or systems of sewerage and sewage disposal of the town. The provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments and annual charges made under this act, and the interest shall be at the rate of four per cent per annum. The collector of taxes of said town shall certify the payment or payments of such assessments or apportionments thereof to the board of sewer commissioners, who shall preserve a record thereof.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may borrow such sums as may be necessary, not exceeding, in the aggregate, two million seven hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Shrewsbury Sewerage Loan, Act of 1954. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 9. The board of sewer commissioners may, in its discretion, prescribe such sewer assessment rates and annual rentals or charges as it may deem proper, subject, however to such rules and regulations as may be fixed by vote of the town. The receipts from sewer assessments and annual charges and from payments made in lieu thereof shall be appropriated for and applied to the payment of charges and expenses incident to the maintenance and operation of said system of sewerage and sewage disposal, to the payment of interest upon bonds or notes issued for sewer purposes, or to the payment of redemption of such bonds or notes.

SECTION 10. All contracts made by the board of sewer commissioners shall be made in the name of the town and shall be signed by the board, but no contracts shall be made or obligation incurred by said board for any purpose in excess of the amount of money appropriated by the town therefor.

SECTION 11. Said board may, from time to time, prescribe rules and regulations for the connection of estates and buildings with main drains and sewers, and for the inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and any person violating any such rule or regulation shall be punished by a fine of not less than twenty dollars

nor more than five hundred dollars for each violation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper having general circulation in the town of Shrewsbury, and shall not take effect until such publications have been made.

SECTION 12. No act shall be done under authority of the preceding sections, except in the making of surveys, plans and other preliminary investigations, until the plans for said system of sewerage and sewage disposal have been approved by the state department of public health. Upon application to said department for its approval, it shall give a hearing, after due notice to the public, and by writing to the selectmen of the town of Northborough. At such hearing, plans showing the work to be done in constructing said system or systems of sewerage and sewage disposal shall be submitted for the approval of said department.

SECTION 13. This act shall take full effect upon its acceptance by a majority of the town meeting members of said town present and voting thereon at a regular or special town meeting called for the purpose within five years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved May 27, 1954.

AN ACT RELATIVE TO PAYMENT OF THE EXCISE UPON CHARGES *Chap.503*
FOR MEALS.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 64B of the General Laws, as most recently amended by section 79 of chapter 654 of the acts of 1953, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 64B, § 6, etc., amended.

Any taxpayer who complies with the provisions of this section may withhold and retain from said payments an amount equal to one per cent from each payment as compensation for services rendered in compliance with this chapter; provided, that the taxpayer has complied with all pertinent rules and regulations promulgated by the state tax commission and all other requirements of this chapter.

Compensation of taxpayer for services in collection of excise upon meals.

SECTION 2. This act shall take effect on November first, nineteen hundred and fifty-four and shall apply to returns required to be filed on or after said date.

Effective date.

Approved May 27, 1954.

AN ACT PROVIDING FOR THE CONVEYANCE BY THE DEPARTMENT OF NATURAL RESOURCES OF CERTAIN STATE LAND *Chap.504*
TO THE CITY OF LOWELL.

Be it enacted, etc., as follows:

SECTION 1. The department of natural resources is hereby authorized and directed to convey to the city of Lowell a portion of the Lowell-Dracut State Forest, lying

partially within the city of Lowell and partially within the town of Dracut, bounded and described as follows:—

Beginning at the northeast corner of the parcel to be conveyed at a granite post on the westerly side of Gumpas road, so-called, said point being approximately 5,200 feet northerly of the intersection of Gumpas road with West Meadow road; thence running in a southerly direction along the west side of Gumpas road a distance of approximately forty-five hundred and fifty feet to stake on the northerly side of an old road; thence in a westerly direction along the northerly side of said old road a distance of two hundred twenty feet more or less to a point opposite a stone bound on the southerly side of said old road; thence N. $17^{\circ} 56'$ W. three hundred and three feet, more or less, to a stone bound; thence N. $13^{\circ} 43'$ W. five hundred fifty-three and nine hundredths feet to a stone bound; thence N. $16^{\circ} 33'$ W. two hundred twenty-three and three tenths feet to a stone bound; thence N. $17^{\circ} 09'$ W. six hundred four and sixty-four hundredths feet to a stone bound; thence N. $6^{\circ} 10'$ W. eleven hundred and five feet to a stone bound on the southeasterly side of Totman road, so-called; thence northeasterly and northerly along the easterly side of Totman road twenty-seven hundred and seventy feet more or less to a stone wall at a corner of the property; thence S. $87^{\circ} 39'$ E. five hundred fifty-two and fifty-four hundredths feet along said stone wall to stake at corner of walls; thence S. $16^{\circ} 14'$ W. one hundred fifty-two and twenty-seven hundredths feet along another wall to a stake; thence S. $15^{\circ} 01'$ W. along said wall one hundred sixty-eight and forty-six hundredths feet to a stake; thence continuing along said wall S. $10^{\circ} 42'$ W. two hundred sixty-four and ten hundredths feet to a stake; thence continuing along said wall S. $15^{\circ} 26'$ W. one hundred sixty-eight and forty-one hundredths feet to a stone bound at corner of walls; thence S. 81° E. along another stone wall eight hundred thirteen and fifty-four hundredths feet to the point of beginning. Containing one hundred twenty-seven and seventy-five hundredths acres more or less; meaning and intending to include all that portion of the Lowell-Dracut State Forest which lies between Totman road in the town of Dracut and Gumpas road in the town of Dracut and the city of Lowell.

SECTION 2. Said land is transferred to the city of Lowell, subject to the provision that it be developed and operated solely by the city as a municipal golf course and a municipal outdoor recreational area.

SECTION 3. Should the city of Lowell fail to develop and operate this area as a municipal golf course and a municipal outdoor recreational area within a period of five years, or should said area at any time, be put to uses other than that described under section two, the property shall revert to the commonwealth.

SECTION 4. The words "developed and operated solely by the city as a municipal golf course and a municipal out-

door recreational area" are intended to cover those activities which are normally associated with the operation of a municipal golf course and a municipal outdoor recreational area.

SECTION 5. The city of Lowell shall indemnify the town of Dracut for any loss of revenue sustained as a result of the conveyance herein authorized.

Approved May 27, 1954.

AN ACT PROVIDING THAT GEORGE H. PROVOST SHALL BE ELIGIBLE FOR MEMBERSHIP IN THE CONTRIBUTORY RETIREMENT SYSTEM OF THE TOWN OF AGAWAM. Chap.505

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special provisions of law to the contrary, George H. Provost, a permanent employee of the health department of the town of Agawam, shall be permitted to pay into the retirement system of said town within sixty days following the effective date of this act, the amount which he would have been required to pay had he applied for membership and been accepted in said retirement system on December thirty-first, nineteen hundred and fifty-two, and after such payment is made he shall receive full membership in said system in accordance with the provisions of chapter thirty-two of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 28, 1954.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY TO PURCHASE CERTAIN PROPERTY IN THE CITY OF NORTHAMPTON FOR PARKING FACILITIES OR FOR EXPANDING THE FACILITIES OF THE COUNTY COURT BUILDING. Chap.506

Be it enacted, etc., as follows:

SECTION 1. For the purpose of establishing off-street parking facilities or for expanding the facilities of the county court house, the county commissioners of the county of Hampshire are hereby authorized to raise and expend a sum not exceeding forty-five thousand dollars for the purchase and subsequent development of two certain tracts or parcels of land with the buildings thereon situate on the westerly side of Gothic street in the city of Northampton in said county, bounded and described as follows: —

Parcel 1. Beginning at a point on the westerly side of Gothic street at the southeasterly corner of the described premises and the northeasterly corner of land of Northampton Institution for Savings, thence southwesterly along land of said Northampton Institution for Savings and First Parish in Northampton seventy feet to a corner; thence

northwesterly along land of said First Parish in Northampton and land of Leon Shumway eighty-two and five tenths feet, more or less, to an iron pin at the land of Wiggins Hotel, Inc.; thence northeasterly seventy-seven and five tenths feet to an iron pin at the westerly side of Gothic street; thence southeasterly along the westerly side of Gothic street forty-one and thirty-five hundredths feet to a stone bound at an angle in said street; thence continuing southeasterly on the westerly side of Gothic street thirty-seven and three tenths feet to an iron pin and the point of beginning; with all the buildings thereon, but subject, however, to all sewer rights of the city of Northampton over and across the same and excepting and reserving therefrom and subject to a right of way six feet in width on the northwesterly side of the granted premises adjoining land of Wiggins Hotel, Inc.

Parcel 2. Beginning at a point on the southwesterly side of said Gothic street at land of People's Institute of Northampton, marked by an iron pin, thence southwesterly along land of said People's Institute of Northampton one hundred twenty-two feet to a stone bound at land of the city of Northampton; thence southeasterly along said land of the city of Northampton fifty-one feet to a point marked by an iron pin; thence southwesterly along said land of the city of Northampton nineteen and five tenths feet to a point at the end of a retaining wall; thence southeasterly along land of Levi Clark heirs, seventeen feet, more or less, to a point to be marked by an iron pin; thence northeasterly along land of Wiggins Country Store, Inc., one hundred seventeen feet, more or less, to the southwesterly side of said Gothic street; thence northwesterly along the southwesterly side of said Gothic street seventy feet to the point of beginning.

SECTION 2. Said county commissioners are hereby authorized to sell such bonds, plus any accumulated interest, or to use such money now held in the post-war rehabilitation fund established under the provisions of chapter five of the acts of nineteen hundred and forty-three. The proceeds of such sale and any such money shall be included in and considered a part of the total amount of the expenditure authorized under section one of this act, and shall be used for the purposes set forth in said section one.

SECTION 3. This act shall take effect upon its passage.

Approved May 28, 1954.

Chap.507 AN ACT RELATIVE TO THE ISSUE OF BONDS BY HOUSING AUTHORITIES FOR STATE-AIDED HOUSING PROJECTS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate borrowing by housing authorities in order to finance low rent housing for veterans of World War II, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 26NN of chapter 121 of the General Laws is hereby amended by striking out the last sentence, as most recently amended by section 4 of chapter 550 of the acts of 1952, and inserting in place thereof the following sentence:— Each project developed under this section and section twenty-six OO shall be administered for occupancy in accordance with section twenty-six FF, except clause (c) and except that for each completed project the authority shall create, beginning in the first year immediately succeeding its issuance of any bonds, a reserve for principal and interest equal to one twelfth of the largest principal and interest payments which will be due on such bonds in any one year thereafter and shall maintain such reserve and increase the same by a similar amount for each of the eleven succeeding years thereafter and maintain each such increase; provided, however, that in the event a project is refinanced, there shall be appropriate adjustments made in the reserves required by the foregoing provisions to reflect any changes in amounts of principal and interest payable to the end that twelve years after the date of the issuance of the original bonds, or as soon thereafter as may be practicable, there will have been created and thereafter maintained a reserve equal to the largest amount of principal and interest due in any subsequent year on account of the outstanding bonds issued to finance the project; and except that each such project shall be occupied exclusively by veterans and their families and priority shall be given first to veterans of World War II of low income and to veterans of low income who have served in the active military or naval service of the United States at any time on or after June twenty-seventh, nineteen hundred and fifty, and prior to such date thereafter as shall later be determined by the chairman, then to veterans of low income, such low income to be determined from time to time by the board.

G. L. (Ter. Ed.), 121, § 26NN, etc., amended.

Borrowing to finance low rent housing for certain veterans, regulated.

SECTION 2. The first paragraph of subdivision (a) of said section 26NN of said chapter 121, as amended by section 2 of chapter 742 of the acts of 1949, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:— Any such notes or bonds, whether original or refunding, may at any time be refunded through the issue and sale of notes or bonds hereunder but in no event for a term more than forty years after completion of the project, as determined by the board.

G. L. (Ter. Ed.), 121, § 26NN, etc., further amended.

Term of certain notes and bonds, limited.

SECTION 3. The third paragraph of said subdivision (a) of said section 26NN of said chapter 121, as amended by section 3 of said chapter 742, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentences:— Except as otherwise provided in this paragraph, the amortization schedule for any bonds issued hereunder shall provide for payment of principal and interest combined in substantially equal

G. L. (Ter. Ed.), 121, § 26NN, etc., further amended.

Payment of bonds, amortization schedules, etc., regulated.

amounts during each year that any of said bonds remain outstanding. Bonds may be issued for a maximum period of forty years from the completion of the project as determined by the board, or, for any portion of such period as may remain at the time of issue of said bonds. Bonds may be issued for less than the maximum period permitted hereunder under an amortization schedule which provides for the payment of a larger amount of principal and interest in the last year any such bonds remain outstanding than in the prior years, in which event the amortization schedule for such bonds shall provide (1) for payment of principal and interest combined during each such year except the last in amounts which are not less than the amounts which would be required by an amortization schedule for bonds bearing the same rate of interest and issued for the maximum period permitted; and (2) for the payment of the entire balance of such bonds in such last year. In the event bonds are issued for less than the maximum period permitted hereunder with a larger amount of principal and interest payable in the last year as hereinbefore provided, the amount of principal and interest payable in said last year shall be disregarded in computing the requirements for the reserve under the first paragraph of this section. In the event notes are issued to finance or refinance a completed project, such notes shall be payable not later than twenty-four months after such issuance, and (1) such notes shall be permanently retired at the maturity thereof in an amount at least equivalent to the amount of retirements of bonds which would have been required by an amortization schedule for bonds issued for the maximum period permitted hereunder and bearing interest at the rate of two and one half per cent per annum, adjusted to the nearest month where notes are issued for a period other than one year; and (2) a reserve under the first paragraph of this section shall be established as if such bonds had been issued. Anything herein to the contrary notwithstanding, the failure of any amortization schedule of bonds or retirements of notes approved by the board to meet the foregoing requirements shall not affect the validity of bonds or notes issued hereunder.

Proviso.

SECTION 4. No bonds or notes issued prior to the effective date of this act by any housing authority shall be invalid by reason of any rate of amortization or retirement provided for in connection therewith.

Approved May 28, 1954.

Chap. 508 AN ACT TRANSFERRING THE MASSACHUSETTS HOSPITAL SCHOOL AND HOSPITAL FOR STATE MINOR WARDS TO THE DEPARTMENT OF PUBLIC HEALTH.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to transfer immediately the Massachusetts hospital school and hospital for state minor wards to the department of public health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 62H the following eleven sections under the caption MASSACHUSETTS HOSPITAL SCHOOL AND HOSPITAL FOR STATE MINOR WARDS. *Section 62I.* The department shall have general supervision of the Massachusetts hospital school and hospital for state minor wards.

G. L. (Ter. Ed.), 111, new §§ 62I-62S, added.

Supervision of Massachusetts hospital school.

Section 62J. The Massachusetts hospital school shall be maintained for the education and care of crippled and deformed children of the commonwealth. The board of trustees of said school shall have the same powers and shall be required to perform the same duties in the management and control of the school as are vested in and required of the trustees of the various state hospitals under chapter one hundred and twenty-three, so far as applicable.

Board of trustees.

Section 62K. The trustees shall be a corporation for the purpose of taking and holding, by them and their successors, in the name of the commonwealth, and in accordance with the terms thereof, any grant or devise of land or any gift or bequest of money or other personal property made for the use or benefit of the school, its inmates, former inmates or graduates or any association thereof, or for the use or benefit of state minor wards assigned to the care of the trustees under sections sixty-two P to sixty-two S, inclusive, and for the purposes of preserving and investing the proceeds thereof in notes or bonds secured by good and sufficient mortgages or other securities, with all the powers necessary to effect said purposes. For said purposes the trustees may employ such agencies as they may from time to time determine to be wise and proper, including any trust company or other corporation authorized by law to administer trusts, and may from funds received as aforesaid or the income thereof pay such expenses as may be necessary for the wise administration of such gifts or trusts, or may, with the approval of the governor and council, delegate any powers conferred by this section upon any such trust company or corporation. In the use, management and administration of such gifts or trusts, the trustees or their agents shall in their discretion so act as most effectively to aid the beneficiaries in accordance with the terms of the gift or trust, and when so acting their judgments and determinations in extending or denying aid or benefit to any individual shall be conclusive and final. No trustee shall be answerable for the use of any money or property received by any beneficiary or for the default or neglect of any co-trustee, or of any agent employed hereunder, or of any corporation to which power is delegated or transferred as herein authorized.

Powers and duties of board of trustees.

Section 62L. The trustees may appoint all persons necessary for the proper administration of the affairs of the school, and may incur all expenses necessary for the maintenance thereof.

Appointment of personnel vested in trustees.

Section 62M. The trustees may, upon application of any child entitled to receive the benefit of said school, or upon

Admissions to hospital school, regulated.

Payment of
tuition.

Duties of
attorney
general and
district
attorneys.

Inspections
by trustees,
when
required.

Treasurer's
accounts.

Construction
of buildings.

Management
and control
of hospital
for state
wards.

such application by a parent, guardian or person having the legal custody of the child, or by any state or municipal department, board or officer having such custody, admit such child to said school, subject to such rules and regulations as the trustees may prescribe, and the trustees may discharge such child from the school. The charges for the support of the children of the school who are of sufficient ability to pay for the same, or have persons or kindred bound by law to maintain them, shall be paid by such children, such persons or such kindred at a rate determined by the trustees. The board of such children as have a legal settlement in a town shall be paid by the town at a rate not exceeding seventeen dollars and fifty cents a week, notice of the reception of the children by the trustees being given by them to the board of public welfare of the town as soon as practicable; and the tuition and board of those having no such settlement shall be paid by the commonwealth. The trustees may receive other children having no means to pay for tuition and support, and the tuition and board of all such children shall be paid by the commonwealth. The attorney general and district attorneys shall upon request bring action to recover said charges in the name of the state treasurer. The admission of a child as aforesaid to the school shall be deemed a commitment of the child to the care and custody of the commonwealth, and the trustees, with the approval of the department, may detain the child at said school during its school age, or for such longer period during its minority as in the opinion of the trustees will tend to promote the education and welfare of the child.

Section 62N. There shall be a thorough inspection of the school by two of the trustees thereof monthly, and by a majority of them quarterly, and by all of them semi-annually, and after each inspection a written report of the state of the institution shall be drawn up. The treasurer shall present his report at said annual meeting and the trustees shall then audit it. The commissioner shall make an annual report of the acts of the trustees.

Section 62O. The accounts and books of the treasurer shall at all times be open to the inspection of the trustees.

Section 62P. The trustees of the Massachusetts hospital school, subject to supervision by the department, may construct from time to time, as appropriations are made by the general court, and thereafter may maintain, suitable buildings for the hospital care and treatment of such state minor wards as may be assigned to their care by the said department.

Section 62Q. The said trustees shall have the same powers and shall perform the same duties in the management and control of the said hospital for state wards as are vested in and required of them in their administration and control of the hospital school under sections sixty-two J to sixty-two O, inclusive, so far as applicable. No state ward who is insane, feeble minded, epileptic, or otherwise unfit, shall

be admitted to or received at the said hospital, nor shall any state ward so be admitted or received without the approval of the trustees and the written order of an authorized agent of the department, nor released from said hospital without written notice to the said department.

Section 62R. Any land acquired or buildings erected for the Massachusetts hospital school or the hospital for state minor wards, unless it is otherwise expressly provided, and also any farm product raised at the said hospital school, or at the said hospital, may, as the trustees shall from time to time determine, be used either interchangeably or exclusively for said hospital school or said hospital, or in common for the benefit of both institutions, and for the care and maintenance of their respective inmates, officers, employees and attendants. Such officers, employees and attendants shall, as required by the trustees, render service to either or both of the said institutions. Any sewer, heating, ventilating, water or similar plant or system may so be used, separately or jointly.

Both institutions to be operated co-operatively.

Section 62S. No state minor wards shall be assigned to the said hospital until the commissioner, with the approval of the governor and council, finds that sufficient new building accommodations have been constructed to provide for the number thus to be assigned.

Assignment of state minor wards to hospital.

SECTION 2. Sections 28 to 37, inclusive, of chapter 121 of the General Laws are hereby repealed.

G. L. (Ter. Ed.), 121, §§ 28-37, repealed.

SECTION 3. The incumbent trustees of the Massachusetts hospital school shall continue to serve until the expiration date of their present terms. The employees of the Massachusetts hospital school and hospital for state minor wards and all persons appointed by the trustees for the proper administration of the affairs thereof shall continue to serve without impairment of their civil service or other rights.

Service of present trustees and employees.

SECTION 4. Funds available or appropriated for expenditure by the department of public welfare for the Massachusetts hospital school and hospital for state minor wards shall be available for expenditure by the department of public health for said purposes.

Expenditure of certain funds, authorized.

SECTION 5. This act shall take effect on July first, nineteen hundred and fifty-four.

Effective date.

Approved May 28, 1954.

AN ACT AUTHORIZING THE METROPOLITAN TRANSIT AUTHORITY TO COVER ITS EMPLOYEES UNDER THE MASSACHUSETTS EMPLOYMENT SECURITY LAW.

Chap. 509

Be it enacted, etc., as follows:

SECTION 1. The Metropolitan Transit Authority is hereby authorized to insure its employees under the provisions of the Employment Security Law and to become liable for payments instead of contributions as provided in subsection (o) of section fourteen of chapter one hundred and fifty-one A of the General Laws, and the said Authority

is deemed to be an instrumentality of the commonwealth for said purposes.

SECTION 2. This act shall take effect upon its passage.

Approved May 28, 1954.

Chap.510 AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE TOWN OF BARNSTABLE IN LEASING CERTAIN PREMISES TO THE CAPE COD ART ASSOCIATION, INC.

Be it enacted, etc., as follows:

SECTION 1. The action taken at the town meeting of the town of Barnstable held on March second, nineteen hundred and fifty-four, wherein it was voted to lease certain premises to the Cape Cod Art Association, Inc., is hereby validated and made legal notwithstanding the provisions contained in chapter six hundred and twenty-three of the acts of nineteen hundred and fifty-three which restrict the use of said premises to municipal purposes or the housing of agencies of the commonwealth unless specially authorized by the general court.

SECTION 2. This act shall take effect upon its passage.

Approved May 28, 1954.

Chap.511 AN ACT TO AUTHORIZE TOWNS TO ESTABLISH INTERIM COMMISSIONS TO PROMOTE BUSINESS AND INDUSTRY AND TO APPROPRIATE MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. Any town at a meeting called for the purpose during the current year which accepts the provisions of section one of chapter two hundred and ninety-seven of the acts of the current year, and accepts the provisions of this act, may, in anticipation of the establishment of a business and industrial commission in the ensuing year, provide for an interim commission to exercise all the powers vested in a development and industrial commission by said chapter two hundred and ninety-seven. Said interim commission shall consist of not less than five nor more than fifteen members and shall be appointed by the selectmen to hold office until the annual town election in the year nineteen hundred and fifty-five, but no longer. Said interim commission may expend such sums of money as may be appropriated for business and industrial commissions under the provisions of clause (47) of section five of chapter forty of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 28, 1954.

AN ACT MAKING CERTAIN INFORMATION SECURED UNDER THE EMPLOYMENT SECURITY LAW AVAILABLE FOR USE IN CERTAIN CRIMINAL ACTIONS BROUGHT BY THE COMMONWEALTH. *Chap.512*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make certain information secured under the Employment Security Law available forthwith for use in certain criminal actions brought by the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

The second sentence of section 46 of chapter 151A of the General Laws, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by striking out, in line 2, the word "used" and inserting in place thereof the word: — admissible, — and by inserting after the word "law", in line 5, the words: — or under chapter two hundred and sixty-four, — so as to read as follows: — Such information shall not be open to the public, nor shall it be admissible in any action or proceeding unless the division or the commonwealth is a party to such action or proceeding, or unless such action or proceeding is in the nature of a criminal prosecution under some provision of federal law or under chapter two hundred and sixty-four, but any employer or claimant, upon request, shall be supplied by the division with information concerning his own record which is necessary to him in his relations with the division.

G. L. (Ter. Ed.), 151A, § 46, etc., amended.

Certain information under employment security law not available to public, admissible as evidence except in specified cases.

Approved May 28, 1954.

AN ACT AUTHORIZING NON-PROFIT HOSPITAL SERVICE CORPORATIONS TO CONTRACT WITH GOVERNMENTAL AGENCIES TO PROVIDE HOSPITAL SERVICE OR REIMBURSEMENT FOR OTHER HEALTH SERVICES. *Chap.513*

Be it enacted, etc., as follows:

The first paragraph of section 5 of chapter 176A of the General Laws, as amended by section 3 of chapter 287 of the acts of 1953, is hereby further amended by adding at the end the following: — and may contract with any agency of the United States of America, of the commonwealth or any city or town within the commonwealth for the purpose of providing hospital service or reimbursement for other health services.

G. L. (Ter. Ed.), 176A, § 5, etc., amended.

Certain hospital service contracts, permitted.

Approved May 28, 1954.

AN ACT ESTABLISHING A DIVISION OF SPECIAL EDUCATION. *Chap.514*

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 15 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 2 of chapter 585 of the acts of 1952, and inserting in place thereof the following sentence: — In the

G. L. (Ter. Ed.), 15, § 4, etc., amended.

Division of special education, established.

G. L. (Ter. Ed.), 15, new § 15A, added.

Director and supervisors, appointment of.

G. L. (Ter. Ed.), 69, new §§ 29A, 29B, added.

Duty of division.

Reimbursement by commonwealth of certain costs, authorized.

G. L. (Ter. Ed.), 70, new § 3C, added.

Payments by commonwealth, authorized.

G. L. (Ter. Ed.), 71, § 46, etc., amended.

Classifications of retarded children, established.

department there shall be a division of library extension, a division of immigration and Americanization, a division of the blind, a division of elementary and secondary education, a division of teachers colleges, a division of university extension, a division of research and statistics, a division of vocational education, a division of vocational rehabilitation, and a division of special education.

SECTION 2. Said chapter 15 is hereby further amended by inserting after section 15 the following section:— *Section 15A.* The division of special education shall consist of a director to be appointed by the board, at such salary as it may determine. The board shall appoint such supervisors and may assign to them, under the supervision of the director, such functions as he and the board deem advisable, in the supervision of the education of children who are mentally retarded, physically handicapped, deaf or hard of hearing, blind, or with impaired vision or speech.

SECTION 3. Chapter 69 of the General Laws is hereby amended by inserting after section 29 the following two sections under the caption:— DIVISION OF SPECIAL EDUCATION. *Section 29A.* The division of special education shall direct and supervise all special education supported in whole or in part by the commonwealth or any of its subdivisions, and shall be responsible for the compliance by cities and towns with the program of special classes established under the provisions of sections forty-six, forty-six A and forty-six B of chapter seventy-one for the instruction of educable and trainable mentally retarded children.

Section 29B. One half of the cost of the expenses of the instruction, training and support of the children in the special classes provided under section forty-six or forty-six B, actually rendered or furnished, including their necessary traveling expenses, whether daily or otherwise, but not exceeding ordinary and reasonable compensation therefor, shall be reimbursed to the towns by the commonwealth upon approval of the department and certification by it that such classes meet the standards and requirements prescribed by it.

SECTION 4. Chapter 70 of the General Laws is hereby amended by inserting after section 3B, inserted by chapter 774 of the acts of 1950, the following section:— *Section 3C.* In addition to payments provided by section three, the state treasurer shall annually, on or before November twentieth, pay from the proceeds of taxation on incomes under chapter sixty-two to any city or town such sums as may be certified by the commissioner on account of classes conducted as provided in section twenty-nine B of chapter sixty-nine.

SECTION 5. Chapter 71 of the General Laws is hereby amended by striking out section 46, as most recently amended by section 4 of chapter 194 of the acts of 1941, and inserting in place thereof the following section:— *Section 46.* The school committee of every town shall annually ascertain, under regulations prescribed by the department and the

department of mental health, the number of children retarded in mental development in attendance upon its public schools, or of school age and resident therein. Such children shall be placed in the following classifications: — (a) the educable mentally retarded; (b) the trainable mentally retarded; and (c) the custodial mentally retarded. At the beginning of each school year the committee of every town where there are five or more such children, as determined in accordance with the first sentence of this section, shall, and every town where there are less than five such children may, establish special classes for the instruction of the educable mentally retarded children and for the instruction of the trainable mentally retarded children according to their mental attainments, under regulations prescribed by the department. A child appearing to be mentally retarded in any less degree may, upon request of the superintendent of schools of the town where he attends school, be examined under such regulations as may be prescribed by the department and the department of mental health. No child under the control of the department of public welfare or of the child welfare division of the institutions department of the city of Boston or of a similar agency of any other city, who is retarded in mental development within the meaning of this section, shall, after complaint made by the school committee to the department of public welfare or said division or similar agency, be placed in a town which is not required to maintain a special class as provided for in this section.

Establishment of special classes, required.

SECTION 6. Said chapter 71 is hereby further amended by inserting after section 46B, inserted by section 1 of chapter 296 of the acts of 1954, the following two sections: —

G. L. (Ter. Ed.), 71, new §§ 46C, 46D, added.

Section 46C. Any city or town having fewer than ten mentally retarded children may, with the approval of the department, join with another such city or town or with other such cities and towns to provide the necessary special classes, as provided in section forty-six.

Joint classes by certain cities and towns, authorized.

Section 46D. The parent or guardian of any child classified under the provisions of section forty-six may apply in writing to the department for a review of such determination.

Review of classification.

Approved May 28, 1954.

AN ACT MAKING CERTAIN CHANGES IN THE LAW RELATIVE TO THE TAXATION OF CORPORATIONS.

Chap. 515

Be it enacted, etc., as follows:

SECTION 1. Section 18 of chapter 63 of the General Laws, as most recently amended by section 1 of chapter 486 of the acts of 1948, is hereby further amended by inserting after the word "commissioner", in line 27, the words: — with the approval of the state tax commission, — by striking out, in lines 56 and 57, the word "commissioner" and inserting in place thereof the word: — commission, — by striking out, in line 59, the word "commissioner's" and inserting in place thereof the word: — commission's, — and by inserting after

G. L. (Ter. Ed.), 63, § 18, etc., amended.

the word "commissioner", in line 71, the words: — with the approval of the state tax commission.

G. L. (Ter. Ed.), 63, § 51, amended.

SECTION 2. Section 51 of said chapter 63 is hereby amended by striking out, in lines 10 and 11, as appearing in the Tercentenary Edition, the word "commissioner" and inserting in place thereof the word: — commission.

G. L. (Ter. Ed.), 63, § 52A, etc., amended.

SECTION 3. Subdivision (4) of section 52A of said chapter 63, as appearing in section 1 of chapter 641 of the acts of 1951, is hereby amended by inserting after the word "commissioner", in lines 5 and 6, the words: — with the approval of the state tax commission, — and by inserting after the word "receipts", in line 3 of clause Fourth the words: — for the taxable year.

G. L. (Ter. Ed.), 63, § 52A, etc., further amended.

SECTION 4. Subdivision (6) of said section 52A of said chapter 63 is hereby amended by adding at the end the following sentence: — Any corporation aggrieved by the refusal of the commission to abate a tax in whole or in part under this subdivision may appeal in the manner provided by section seventy-one.

G. L. (Ter. Ed.), 63, § 60, etc., amended.

SECTION 5. Section 60 of said chapter 63 is hereby amended by striking out, in line 13, as appearing in section 8 of chapter 509 of the acts of 1941, the word "commissioner's" and inserting in place thereof the word: — commission's.

G. L. (Ter. Ed.), 63, § 68A, etc., amended.

SECTION 6. Section 68A of said chapter 63, as most recently amended by section 4 of chapter 622 of the acts of 1947, is hereby further amended by striking out, in lines 5 and 6 and 12 and 13, each time it appears, the word "commissioner" and inserting in place thereof, in each instance, the word: — commission, — by striking out, in line 7, the word "he" and inserting in place thereof the words: — the commission, — by striking out, in line 8, the word "his" and inserting in place thereof the word: — its, — by striking out, in line 9, the word "it" and inserting in place thereof the words: — the corporation, — and by striking out, in line 10, the words "their refusal" and inserting in place thereof the words: — the refusal of the assessors.

G. L. (Ter. Ed.), 63, § 71, etc., amended.

SECTION 7. Said chapter 63 is hereby amended by striking out section 71, as most recently amended by section 65 of chapter 654 of the acts of 1953, and inserting in place thereof the following section: — *Section 71.* Except as otherwise provided, any party aggrieved by any decision of the commission upon any matter arising under this chapter from which an appeal is given, may appeal to the appellate tax board within thirty days after the date of notice of the commission's decision. Any overpayment of tax determined by decision of said appellate tax board shall be reimbursed by the commonwealth with interest at the rate of six per cent per annum from the time of payment.

Appeal to appellate tax board.

Approved May 28, 1954.

AN ACT RELATIVE TO THE PLACEMENT OF PERSONS DE- *Chap.516*
PENDENT UPON PUBLIC SUPPORT IN LICENSED HOSPITALS,
HOMES AND INSTITUTIONS.

Be it enacted, etc., as follows:

Section 2 of chapter 117 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end thereof the following paragraph: —

G. L. (Ter. Ed.), 117, § 2, amended.

No board of welfare, veterans' agent, board of health, or other public authority shall place or cause to be placed a person dependent on public support in any hospital, nursing home, infirmary or institution not operated by the commonwealth which is not licensed as required by chapter one hundred and eleven. Any person violating the provisions of this paragraph shall be punished by a fine of not less than twenty-five nor more than one hundred dollars.

Placement of certain dependent persons in licensed establishments, required.

Approved May 28, 1954.

AN ACT RELATIVE TO EXPENDITURES OF MONEY BY THE *Chap.517*
COUNTY COMMISSIONERS OF BERKSHIRE COUNTY FOR THE
PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES
OF SAID COUNTY.

Be it enacted, etc., as follows:

Chapter 210 of the acts of the current year is hereby amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* The state secretary shall cause to be placed on the official ballot to be used in the cities and towns in Berkshire county at the biennial state election in the year nineteen hundred and fifty-four the following question: — "Shall an act passed by the General Court in the year nineteen hundred and fifty-four, entitled 'An Act relative to expenditures of money by the county commissioners of Berkshire county for the purpose of promoting the recreational advantages of said county', be accepted?" If a majority of the votes cast in said county in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved May 28, 1954.

AN ACT RELATIVE TO THE RETIREMENT AND PENSION RIGHTS *Chap.518*
OF MEMBERS OF CERTAIN RETIREMENT SYSTEMS ON ACCOUNT
OF SERVICE RENDERED IN THE LIQUIDATION OF CERTAIN
BANKING CORPORATIONS.

Be it enacted, etc., as follows:

Chapter 493 of the acts of 1946 is hereby amended by striking out section 2, as amended by chapter 754 of the acts of 1950, and inserting in place thereof the following section: — *Section 2.* Any member of the state, teachers or State-Boston retirement system or of any county, city or town contributory retirement system who has heretofore

served in such liquidation shall receive similar credit; provided, that he shall before January first, nineteen hundred and fifty-six, and in any event before his retirement, have paid into the appropriate annuity savings fund in one sum or in installments as approved by the appropriate retirement board an amount equal to what he would have paid during the term of such service, with regular interest.

Approved May 28, 1954.

Chap.519 AN ACT FURTHER REGULATING THE REGISTRATION OF QUALIFIED PHYSICIANS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 112, § 2, etc., amended.

Re-examinations for registration as physician.

SECTION 1. Section 2 of chapter 112 of the General Laws is hereby amended by striking out the fourth sentence, as appearing in section 37 of chapter 451 of the acts of 1939, and inserting in place thereof the following sentence:— An applicant failing to pass an examination satisfactory to the board shall be entitled to two re-examinations within two years at a meeting of the board called for the examination of applicants upon payment of a further fee of ten dollars for each re-examination; but two such re-examinations shall exhaust his privilege under his original application.

G. L. (Ter. Ed.), 112, § 2A, etc., amended.

Certain certificates in lieu of examination, accepted.

SECTION 2. Section 2A of said chapter 112, as amended by section 3 of chapter 396 of the acts of 1945, is hereby further amended by striking out, in line 11, the word "twenty-five" and inserting in place thereof the word:— fifty, — so as to read as follows:— *Section 2A.* In determining the qualifications necessary for registration as a qualified physician, the board may at its discretion accept the certificate of the National Board of Medical Examiners of the United States, chartered under the laws of the District of Columbia, or the certificate of the National Board of Examiners for Osteopathic Physicians and Surgeons of the American Osteopathic Association, in place of and as equivalent to its own professional examination; but before registration in pursuance of this section the applicant therefor shall pay a fee of fifty dollars.

Fee.

Approved May 28, 1954.

Chap.520 AN ACT PROVIDING FOR CERTAIN IMPROVEMENTS AT THE BRISTOL COUNTY JAIL AND HOUSE OF CORRECTION IN NEW BEDFORD.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 419 of the acts of 1953 is hereby amended by striking out, in line 5, the word "fifty" and inserting in place thereof the word:— sixty-eight, — so as to read as follows:— *Section 1.* The county commissioners of Bristol county are hereby authorized and directed to raise and expend under the direction of the sheriff of said county a sum of money not exceeding one hundred and

fifteen thousand dollars for the purpose of installing one hundred and sixty-eight water closets and wash bowls at the Bristol county jail and house of correction in New Bedford.

SECTION 2. The additional water closets and wash bowls provided for by section one of this act shall be purchased and installed by open competitive bids and the award shall be made to the lowest responsible bidder.

Approved May 28, 1954.

AN ACT RELATIVE TO PAYMENT OF OLD AGE ASSISTANCE TO PERSONS CARED FOR IN CERTAIN CHARITABLE HOMES FOR THE AGED. Chap. 521

Be it enacted, etc., as follows:

Chapter 118A of the General Laws is hereby amended by striking out section 1A, inserted by section 2 of chapter 519 of the acts of 1950, and inserting the following in place thereof: — *Section 1A.* Assistance shall be given under the provisions of this chapter to an aged person in any boarding home or institution although he is being cared for under a contract, and in the same manner as if there were no contract; provided, that such person is a resident in a home for the aged, incorporated under chapter one hundred and eighty or by special act as a charitable home for the aged, and the trustees or directors thereof can prove that the amount paid to said home by such person or in his behalf is insufficient to permit continued performance of the contract. In determining the eligibility of an applicant in such a home for old age assistance, the rate of seventy-five dollars per month shall be applied against the entrance fee or deposits he has placed with the home, and if such fee or deposits have not been used up under the monthly rate of seventy-five dollars, he shall not be eligible to old age assistance until such time as the deposit has been exhausted in accordance with this rate. If such home has trust funds from which it receives a regular income for the maintenance of the home, the amount of such income shall be equally divided among all the persons cared for in the home, regardless of whether they are receiving old age assistance or not, and the amount so allocated for a recipient of old age assistance shall be deducted from said assistance.

G. L. (Ter. Ed.), 118A, § 1A, etc., amended.

Payment of old age assistance to persons in certain contract charitable homes authorized and regulated.

Approved May 28, 1954.

AN ACT RELATIVE TO ADMISSIONS TO THE LEMUEL SHATTUCK HOSPITAL AND CHARGES THEREAT. Chap. 522

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 69D, under the caption LEMUEL SHATTUCK HOSPITAL the five following sections: — *Section 69E.* Upon written application of a registered physician, the department may admit as a patient to the Lemuel

G. L. (Ter. Ed.), 111, new §§ 69E-69I, added. Admissions to Lemuel Shattuck Hospital.

Shattuck Hospital, for the treatment of chronic disease, subject to such rules and regulations as the department may prescribe, any person residing in the commonwealth for at least two years within the period of three years immediately prior to the date of such application. Any such patient may be discharged from said hospital either upon his own request or upon determination of the department, but not otherwise.

Notice of admission of needy person.

Section 69F. Notice of admission of a needy person shall be given within ten days to the board of public welfare of the town in which such person resided immediately prior to his admission.

Notice, when to constitute application.

Section 69G. In the case of a needy person not already in receipt of public assistance, the notice of admission shall constitute an application on behalf of the patient. Upon receipt of such application, the board of public welfare shall determine his eligibility for assistance, and if he is found eligible, he shall be granted the type of assistance for which he qualifies, from the date of the notice or application.

Charges.

Section 69H. The charges for the support of persons receiving care in said hospital shall be at the rate determined from time to time by the department.

Liability for charges established.

Exceptions.

Section 69I. A person, his executor, or administrator, shall be liable in contract for such charges except that persons in receipt of public assistance shall have their responsibility for payment of such charges fixed in accordance with the provisions of the particular category of assistance under which they are aided. Persons or kindred bound by law to support such needy persons, not eligible for public assistance, shall be assessed in accordance with a schedule approved by the department. In all proceedings under this section, the sworn written statement of a person that he is the superintendent of said hospital, or that he keeps or has custody of records relating to inmates thereof, and that a person has been a duly admitted patient therein during a stated period at a stated charge, and that said charge has not been paid in whole or in part, and the sworn written statement of an official of the hospital or department that notice of admission of the said patient was given on a stated date to the board of public welfare of prior residence, that the charges for support of said patient were determined pursuant to the provisions of section sixty-nine H, and that no satisfactory security was given for his support, shall be prima facie evidence of the said facts.

Approved May 28, 1954.

Chap. 523 AN ACT CREATING THE BRIGHTON WATERTOWN INCINERATOR AUTHORITY AND DEFINING ITS POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. In order to eliminate the nuisances attendant upon the dumping of refuse and garbage produced in the town of Watertown and the Brighton district of the city of Boston, there is hereby created a public body politic and

corporate to be known as the Brighton Watertown Incinerator Authority, which is hereby authorized and directed to acquire so much of the land constituting the site of the existing dump on Grove street in the town of Watertown as said authority may deem necessary, but in no event more than ten acres, and to construct, maintain and operate on the land so acquired a refuse disposal incinerator of sufficient size to provide adequate disposal facilities for all combustible refuse and garbage produced in the town of Watertown and the Brighton district of the city of Boston. After the construction of such incinerator is completed, no refuse or garbage produced in said town or said district shall, unless it is incombustible refuse, be deposited at any dump within the commonwealth except in case of emergency.

Said authority is hereby constituted a public instrumentality; and the performance by it of the duties imposed, and the exercise by it of the powers conferred, by this act shall be deemed and held to be the performance of essential governmental functions. Said authority shall be deemed to be an instrumentality within the meaning of chapter one hundred and eighteen C of the General Laws; but the provisions of chapter thirty-one of the General Laws shall not apply to any officer, agent or employee of said authority.

SECTION 2. The authority created by section one of this act shall consist of the commissioner of public works of the city of Boston or such other officer or chairman of a board of said city as shall from time to time have charge of the disposal of refuse and garbage in said city, ex officio, and the superintendent of highways of the town of Watertown or such other officer or chairman of a board of said town as shall from time to time have charge of the disposal of refuse and garbage in said town, ex officio, each of whom shall serve without compensation, but shall be reimbursed for expenses necessarily incurred in the performance of his duties.

The authority shall from time to time elect a secretary-treasurer who shall execute a surety bond in such penal sum as the authority shall from time to time determine, such bond to be conditioned upon the faithful performance of the duties of his office, executed by a surety company authorized to transact business in the commonwealth as surety, approved by the attorney general and filed in the office of the state secretary. The premium on such bond shall be paid by the authority.

SECTION 3. The authority is hereby authorized and empowered —

(a) To adopt by-laws for the regulation of its affairs and the conduct of its business;

(b) To adopt an official seal and alter the same at pleasure;

(c) To sue and be sued, and to plead and be impleaded, in its own name;

(d) To acquire in the name of the authority by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power

of eminent domain in accordance with the provisions of chapter seventy-nine of the General Laws or any alternative method now or hereafter provided by general law, in so far as such provisions may be applicable, so much of the land constituting the site of the existing dump on Grove street in the town of Watertown as it may deem necessary for carrying out the provisions of this act, but in no event more than ten acres;

(e) To construct, maintain and operate on the land so acquired a refuse disposal incinerator of sufficient size to provide adequate disposal facilities for all combustible refuse and garbage produced in the town of Watertown and the Brighton district of the city of Boston;

(f) To dispose of the ash and residue from said incinerator in such manner as it shall adjudge most advantageous, and for such purpose to lease from the town of Watertown any or all of the remaining land constituting the site of said dump on Grove street in said town;

(g) To establish rules and regulations, and fix policies, for the operation of said incinerator and the reception thereof of refuse and garbage;

(h) To receive at said incinerator and incinerate therein combustible refuse and garbage originating in the town of Watertown and the Brighton district of the city of Boston when brought to said incinerator otherwise than by said town, said city or their agents or contractors, and to fix and revise from time to time and charge and collect fees for such reception and incineration;

(i) To receive at said incinerator, and incinerate therein, whenever the full capacity of said incinerator is not required for the incineration of combustible refuse and garbage originating in the town of Watertown and the Brighton district of the city of Boston, combustible refuse and garbage originating in other districts of the city of Boston;

(j) To receive and accept from any federal agency grants for or in aid of the construction of said incinerator, and to receive and accept contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made;

(k) To lease, sell or otherwise dispose of any real or personal property, or any interest therein, which it shall determine to be no longer needed for the purposes of this act, and to invest from time to time in obligations of the government of the United States or of the commonwealth any portions of its working capital fund which it shall adjudge temporarily unnecessary for the purposes of said fund; and

(l) To make all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, to employ a plant superintendent and such other employees and agents, including engineering and financial experts, attorneys and accountants, as may be necessary in its judgment, and to fix their com-

pensation, and to do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

SECTION 4. To provide for the expenses of constructing said incinerator and of making any major alteration thereto or any major repair thereof, and for the establishment of a working capital fund, the authority may from time to time borrow from the city of Boston and the town of Watertown, and said city and said town may from time to time loan to the authority, in the case of said city, such sums not exceeding, in the aggregate, one million dollars as the authority shall request of said city, and in the case of said town, such sums not exceeding, in the aggregate, five hundred thousand dollars as the authority shall request of said town. The authority shall repay every loan made to it under this section in the same instalments and with the same interest as shall be payable on debt incurred under section five to make such loan. No bond or note given by the authority to evidence a loan made to it under this section shall, without special authorization from the general court, be disposed of by the city or town to which it is given.

SECTION 5. For the purpose of providing funds to make loans requested by the authority under section four, the city treasurer of the city of Boston and the town treasurer of the town of Watertown shall, without further authority than that contained in this section, in the name and behalf of their respective municipalities, borrow from time to time such sums as may be necessary, not exceeding in the aggregate, in the case of said city, one million dollars, and in the case of said town, five hundred thousand dollars, and may issue therefor bonds and notes, which shall bear on their face, in the case of said city, the words, City of Boston, Brighton Watertown Incinerator Loan, Act of 1954, and in the case of said town, the words, Town of Watertown, Brighton Watertown Incinerator Loan, Act of 1954. Each issue shall constitute a separate loan; and such loans shall be paid in not more than twenty years from their dates. Debt incurred from time to time under this section by said city and said town shall be included in determining their respective limits of indebtedness as established by law, and shall, except as herein provided, be subject to the provisions, respectively applicable to them, of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. Anything in section twenty of said chapter forty-four to the contrary notwithstanding, any premium received upon any bonds or notes issued under this section shall be paid to the authority after deducting therefrom the cost of preparing, issuing and marketing such bonds or notes.

SECTION 6. The authority shall keep a daily record of the aggregate amount of refuse and garbage deposited in the incinerator by the city of Boston, and of the aggregate amount of refuse and garbage deposited therein by the town of

Watertown, and, beginning with the calendar month next after the calendar month in which construction of the incinerator is completed, shall, not later than the tenth day of each calendar month, compute the net cost of maintaining and operating said incinerator during the preceding calendar month and apportion such cost between the city of Boston and the town of Watertown in proportion to the aggregate amount of refuse and garbage respectively deposited in said incinerator by said city and said town during such preceding month and notify said city and said town of such computation and apportionment; and the city treasurer of said city and the town treasurer of said town shall thereupon forthwith, without further authorization than herein contained, pay to the authority out of any available funds in the treasury of said city or said town, as the case may be, the sum respectively apportioned to such city or town. There shall be included in computing the cost of maintaining and operating the incinerator during any calendar month the administrative expenses of the authority during such month and also all instalments of principal and interest on debt accruing during such month. Administrative expenses, interest and instalment payments on principal accruing prior to the completion of the construction of the incinerator shall be treated as expenses of construction. If at any time the authority shall have funds which in its judgment are not required for the purposes of this act, it shall forthwith distribute such funds to said city and said town in proportion to the amounts which have been respectively apportioned to them under this section.

SECTION 7. The authority and all its real and personal property shall be exempt from taxation and from betterments and special assessments; and the authority shall not be required to pay any tax, excise or assessment to or for the commonwealth or any of its political subdivisions; nor shall the authority be required to pay any fee or charge for any permit or license issued to it by the commonwealth, by any department, board or officer thereof, or by any political subdivision of the commonwealth, or by any department, board or officer of such political subdivision; nor shall the authority be liable for any injury, loss or damage suffered by any person or property by reason of any ordinary or gross negligence of the authority or any of its officers, employees or agents; provided, however, that it shall be liable as an employer under chapter one hundred and fifty-two of the General Laws and shall insure against such liability.

SECTION 8. On or before the last day of January in each year, the authority shall make an annual report of its activities for the preceding calendar year to the governor and to the general court. Each such report shall set forth a complete operating and financial statement covering its operations during such year. The authority shall cause an audit of its books to be made at least once in each year by the director of accounts in the state department of corpora-

tions and taxation; and the cost thereof shall be treated as part of the cost of operating said incinerator. Such audits shall be deemed to be public records within the meaning of chapter sixty-six of the General Laws.

SECTION 9. If at any time the authority shall be dissolved, its corporate existence shall continue as provided in section fifty-one of chapter one hundred and fifty-five of the General Laws, and its assets shall be liquidated and the proceeds distributed between the city of Boston and the town of Watertown in proportion to the amounts which have been respectively apportioned to them under section six of this act.

SECTION 10. This act shall take full effect upon its acceptance by the city of Boston, by vote of the city council of said city approved by the mayor, and by the town of Watertown by a majority of the town meeting members present and voting thereon at an annual or special town meeting called for the purpose, and the filing of certificates of such acceptances with the state secretary; provided, that such acceptances and filing occur during the current year.

Approved May 28, 1954.

AN ACT PROVIDING FOR THE DISTRIBUTION OF STATE FUNDS Chap. 524
FOR THE SANDING OF PUBLIC WAYS IN SMALL TOWNS.

Be it enacted, etc., as follows:

Section 26 of chapter 81 of the General Laws is hereby amended by striking out the last paragraph, as amended by section 2 of chapter 706 of the acts of 1949, and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 81, § 26, etc., amended.

The cost of snow removal upon such ways in any such town, including amounts paid as rental for trucks and other equipment, and, at hourly rates approved by the department of public works, charges for the use of trucks and other equipment owned by such town, and the cost of sanding such ways in any such town may be paid from the amounts so appropriated and contributed, at the rate of not more than seventy-five dollars per mile.

Cost of snow removal in certain towns.

Approved May 28, 1954.

AN ACT ALLOWING THE OWNER OR DIRECTOR OF A NURSING HOME TO APPEAL TO THE COMMISSIONER OF PUBLIC WELFARE FOR AN INCREASE IN THE ASSISTANCE ALLOWED TO RECIPIENTS OF PUBLIC AID. Chap. 525

Be it enacted, etc., as follows:

The last paragraph of section 1 of chapter 118A of the General Laws, as appearing in section 2 of chapter 525 of the acts of 1951, is hereby amended by adding at the end the following sentence: — The owner or director of a nursing home shall have the right to appeal to the commissioner of public welfare for an increase in the amount of assistance allowed to a person resident in such a nursing home, who

G. L. (Ter. Ed.), 118A, § 1, etc., amended.

Right of nursing homes to appeal for increase in

state aid in
certain cases,
granted.

is in need of extraordinary care, if such person, upon the written statement of a registered physician, is incapable of making such an appeal in his own behalf.

Approved May 28, 1954.

Chap. 526 AN ACT AUTHORIZING THE MYSTIC RIVER BRIDGE AUTHORITY TO INSURE ITS EMPLOYEES UNDER THE MASSACHUSETTS EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

The Mystic River Bridge Authority is hereby authorized to insure its employees under the provisions of the Employment Security Law and to become liable for payments instead of contributions as provided in subsection (o) of section fourteen of chapter one hundred and fifty-one A of the General Laws.

Approved May 28, 1954.

Chap. 527 AN ACT RELATIVE TO THE SALARIES OF THE CHIEF JUSTICE, ASSOCIATE JUSTICES, CLERKS, PROBATION OFFICERS AND COURT OFFICERS OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section two A of chapter seven hundred and forty-nine of the acts of nineteen hundred and fifty-one is hereby repealed.

SECTION 2. All persons appointed on or after September first, nineteen hundred and fifty-one, to any of the offices and positions in the municipal court of the city of Boston referred to in chapter two hundred and eighteen and chapter two hundred and seventy-six of the General Laws shall be compensated as of the dates of their respective appointments as if the provisions of said section two A of chapter seven hundred and forty-nine of the acts of nineteen hundred and fifty-one had not been included in said chapter seven hundred and forty-nine.

SECTION 3. All persons employed on April twenty-ninth in the current year as probation officers in said municipal court of the city of Boston shall be paid an amount equal to the difference between the amount of compensation which they have received and the amount of compensation which they would have received if their salary had not been reduced by reason of the appointment of a chief justice of said court.

SECTION 4. This act shall not apply to any person appointed between the effective date of this act and January fifth, nineteen hundred and fifty-five.

SECTION 5. This act shall take effect upon its passage.

Approved June 1, 1954.

AN ACT PROVIDING FOR INTERLOCUTORY REPORTS TO THE SUPREME JUDICIAL COURT IN CRIMINAL CASES. Chap. 528

Be it enacted, etc., as follows:

Chapter 278 of the General Laws is hereby amended by inserting after section 30 the following section:— *Section 30A.* If, prior to the trial of a person in a criminal case in the superior court, a question of law arises which, in the opinion of the presiding justice, is so important or doubtful as to require the decision of the supreme judicial court thereon before trial, in the interest of justice, he may report the case so far as necessary to present the question of law arising therein; and thereupon the case shall be continued for trial to await the decision of the supreme judicial court.

G. L. (Ter. Ed.), 278, new § 30A, added.
Interlocutory reports in certain criminal cases, authorized.

Approved June 1, 1954.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 2, 1954.

Honorable EDWARD J. CRONIN, *Secretary of the Commonwealth, State House, Boston.*

SIR: I, Christian A. Herter, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measure", do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the first day of June in the year one thousand nine hundred and fifty-four, being Chapter 528 of the Acts of 1954 entitled, "An Act Providing for Interlocutory Reports to the Supreme Judicial Court in Criminal Cases", should take effect forthwith and that it is an emergency law, and that facts constituting the emergency are as follows:

If this legislation does not become effective immediately, it will delay the reporting of matters now pending in our Criminal Courts which can be assignable for trial in September of the current year instead of being tried in January of next year.

Very truly yours,
CHRISTIAN A. HERTER,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 2, 1954.

I, Edward J. Cronin, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven o'clock and forty minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter five hundred and twenty-eight of the acts of nineteen hundred and fifty-four.

EDWARD J. CRONIN,
Secretary of the Commonwealth.

Chap. 529 AN ACT ESTABLISHING THE DIVISION OF PUBLIC CHARITIES
IN THE DEPARTMENT OF THE ATTORNEY GENERAL, AND
DEFINING ITS POWERS AND DUTIES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide that the division of public charities established herein shall enforce immediately the due application of funds given or appropriated to public charities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 12,
new §§ 8A-
8I, added.
Definitions.

SECTION 1. Chapter 12 of the General Laws is hereby amended by inserting after section 8 the following nine sections: — *Section 8A.* As used in this section and sections eight B to eight I, inclusive, the following words and phrases shall, unless a different meaning is plainly required by the context, have the following meanings: —

“Director”, the director of public charities appointed pursuant to the provisions of section eight C.

“Division”, the division of public charities established under section eight B.

Division of
public
charities,
established.

Section 8B. There shall be in the department of the attorney general a division of public charities which shall, under the direction and control of the attorney general, perform the duties imposed upon him by the provisions of section eight.

Director.

Section 8C. The executive and administrative head of the division shall be an assistant attorney general designated by the attorney general to act as the director of public charities.

Personnel of
division.

Section 8D. The director may appoint and remove, subject to the approval of the attorney general, such accounting, investment, clerical and other experts and assistants as the work of the division may require.

Operation
of certain
charitable
corporations,
regulated.

Copy of
charter, to
be filed with
division.

Section 8E. A charitable corporation established, organized or chartered under laws other than those of the commonwealth, except the Grand Army of the Republic, the United Spanish War Veterans, The American Legion, the Disabled American Veterans of the World War, and the Veterans of Foreign Wars of the United States, shall, before engaging in charitable work or raising funds in the commonwealth, file with the division a copy of its charter, articles or certificate of incorporation, certified under the seal of the state or country where such corporation is incorporated, by the secretary of state thereof or by the officer having charge of the original record therein, and a true copy of its constitution and by-laws, and shall also file with the division such other information as may from time to time be required by it. Every officer of such a corporation which fails to comply with the requirements of this section who authorizes or transacts, and every agent of such a corpora-

tion who transacts, business in behalf of such corporation in this commonwealth, shall be punished by a fine of not more than five hundred dollars. Upon an information in equity by the attorney general, the supreme judicial or superior court may restrain the violation of this section by such a corporation or the transaction of any business in its behalf by any officer or agent while such violation continues. Penalty.

Section 8F. The trustee or trustees or the governing board of every public charity, including those referred to in section eight E, shall annually, on or before June first, or on or before the sixtieth day following the end of its fiscal year if its fiscal year shall end in April or May, file with the division a written report for its last preceding fiscal year, or its last preceding calendar year if it has no fiscal year. Such report shall state: the names and addresses of the trustees, or if the public charity is an organization, the name and address of the organization and the names and addresses of the members of its principal governing board and of its principal officers, and if the organization is a corporation, the statute under which it was incorporated; the aggregate value of endowment and other funds, the aggregate value of real estate, and the aggregate value of tangible personal property held and administered by the public charity for charitable, educational, benevolent, humane or philanthropic purposes or for other purposes of public charity, all as shown by the books of the public charity at the end of said fiscal year, and the aggregate income and the aggregate expenditures of the public charity for such fiscal year; provided, however, that a public charity which annually furnishes to interested persons or publishes a financial report containing information as to endowment and other funds, real estate or tangible personal property, income and expenditures required by the preceding sentence, may file a copy of such financial report for any year with the division as its report for such year under this section as to the matters covered by said financial report, and provided, further, that a public charity which is required by law to file accounts in a probate court of the commonwealth may file a copy of such account for any year with the division as its report for such year under this section as to the matters covered by said account. This section shall not apply to any property held for any religious purpose by any public charity, incorporated or unincorporated. There shall be a filing fee of three dollars for each such report, to be paid to the division at the time of filing. In the event that any public charity shall fail for two successive years to file a report as required hereunder, the division may take such action as may be appropriate to compel compliance with the provisions of this section. Annual reports of public charities, contents thereof prescribed.

Section 8G. The attorney general shall be made a party to all judicial proceedings in which he may be interested in the performance of his duties under section eight, and service upon or notice to the director in any such proceeding Fee.

Attorney general to be party to all judicial proceedings.

shall be deemed sufficient service upon or notice to the attorney general.

Powers of
division.

Section 8II. Upon application to and with the approval of a judge of a probate court or a justice of the supreme judicial court, the division may at any time examine all the books and records, and investigate the administration of any public charity, and the director may require the attendance and testimony of witnesses, who shall be summoned in the same manner and paid the same fees as witnesses in the superior court. Such witnesses shall be duly sworn and shall give their testimony under the pains and penalties of perjury.

Rules and
regulations.

Section 8I. The director shall, with the approval of the governor and council, from time to time formulate such reasonable rules and regulations as may be advisable with reference to the filing of reports under the provisions of section eight F and the conduct of examinations and investigations under the provisions of section eight H, and such rules and regulations shall thereafter govern all such matters.

G. L. (Ter.
Ed.), 217,
§ 19, etc.,
amended.

SECTION 2. Section 19 of chapter 217 of the General Laws, as most recently amended by section 1 of chapter 354 of the acts of 1948, is hereby further amended by striking out, in lines 5 and 6, the words "department of public welfare and to the attorney general" and inserting in place thereof the words: — division of public charities established by section eight B of chapter twelve.

G. L. (Ter.
Ed.), 68,
§ 15, etc.,
repealed.

SECTION 3. Section fifteen of chapter sixty-eight of the General Laws, as most recently amended by chapter twenty-three of the acts of nineteen hundred and forty-six, is hereby repealed.

G. L. (Ter.
Ed.), 180,
§ 12, etc.,
repealed.

SECTION 4. Section twelve of chapter one hundred and eighty of the General Laws, as most recently amended by section two of chapter three hundred and fifty-four of the acts of nineteen hundred and forty-eight, is hereby repealed.

G. L. (Ter.
Ed.), 180,
§ 12A, etc.,
repealed.

SECTION 5. Section twelve A of said chapter one hundred and eighty, as most recently amended by chapter twenty-five of the acts of nineteen hundred and forty-six, is hereby repealed.

Approved June 1, 1954.

Chap. 530 AN ACT PERMITTING CAMPAIGN CONTRIBUTIONS BY PUBLIC OFFICERS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 55,
§ 13, etc.,
amended.

Section 13 of chapter 55 of the General Laws, as appearing in section 10 of chapter 537 of the acts of 1946, is hereby amended by inserting after the first paragraph the following paragraph: —

Campaign
contributions
by public
officers,
permitted.

Nothing in this section shall be construed to prevent any person holding elective public office from contributing to a candidate or to an elected or non-elected political committee.

Approved June 1, 1954.

AN ACT AUTHORIZING THE CITY OF BOSTON TO CONTINUE TO
 PROVIDE TRAINING AND INSTRUCTION IN INDUSTRIAL ARTS
 FOR CERTAIN STUDENTS AT THE STATE TEACHERS COLLEGE. *Chap.531*

Be it enacted, etc., as follows:

Section 8 of chapter 618 of the acts of 1952 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Anything in this act to the contrary notwithstanding, the city, acting by its school committee, may, under the auspices of the state department of education but without cost to the commonwealth, provide, so long as said school committee shall elect so to do, for any students at the state teachers college at Boston, such training and instruction in industrial arts, including such facilities therefor, as has heretofore been provided by said city for students at the city's teachers college; provided, however, that the city, acting as aforesaid, shall, under such auspices but without such cost, provide such training and instruction until September first, nineteen hundred and fifty-six, for students who are now, or in September of the current year would be, enrolled in the industrial arts course in the city's teachers college and who become students at the state teachers college at Boston.

Approved June 1, 1954.

AN ACT TO PROVIDE FOR THE DIVISION OF THE CITY OF
 NEWTON INTO EIGHT WARDS AND TO INCREASE THE NUM-
 BER OF ALDERMEN TO TWENTY-FOUR AND THE NUMBER
 OF MEMBERS OF THE SCHOOL COMMITTEE TO EIGHT. *Chap.532*

Be it enacted, etc., as follows:

SECTION 1. Chapter 283 of the acts of 1897 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* The territory of said city shall be divided into eight wards.

SECTION 2. Said chapter 283 is hereby further amended by striking out section 4 and inserting in place thereof the following section: — *Section 4.* The biennial city election shall be held in each odd numbered year on the Tuesday next after the first Monday in November, at which there shall be elected by ballot a mayor, sixteen aldermen-at-large, eight aldermen by wards, and eight members of the school committee, all for a term of two years from the first secular day in January following their election and until their successors are qualified. The board of aldermen shall consist of twenty-four members until otherwise provided. There shall be elected by and from the voters of the city the mayor, two aldermen-at-large from each ward and one member of the school committee from each ward and there shall be elected by and from the voters of each ward one alderman by the ward.

SECTION 3. Said chapter 283 is hereby further amended by striking out section 19 and inserting in place thereof the following section:—*Section 19.* The management and control of the public schools shall be vested in the school committee, which shall exercise the powers and discharge the duties imposed by law upon school committees. The committee shall consist of the mayor, ex-officio, and eight members, one from each ward of the city. Section thirty-six of chapter forty-three of the General Laws shall apply to vacancies in the school committee, except that for the purposes hereof where the words “first Monday in January” are used in said section they shall be deemed to mean the first secular day in January.

SECTION 4. The board of aldermen shall, as soon as may be after the acceptance of this act as provided in section six, and in any event prior to the thirty-first day of December in the year nineteen hundred and fifty-four, make a redivision of the territory of said city into wards in the manner provided in section one of chapter fifty-four of the General Laws to which redivision when made the provisions of sections one to five, inclusive, of said chapter fifty-four shall apply; provided, that the board of aldermen in making such redivision into wards may take into consideration the probable growth and development of such city in a five-year period following the making of such redivision.

SECTION 5. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 6. This act shall be submitted for acceptance to the registered voters of the city of Newton at the next biennial state election in the form of the following question which shall be placed on the official ballot to be used in said city at said election:—“Shall an act passed by the general court in the year nineteen hundred and fifty-four entitled ‘An Act to Provide for the Division of the City of Newton into Eight Wards and to Increase the Number of Aldermen to Twenty-four and the Number of Members of the School Committee to Eight’ be accepted?” If a majority of the voters voting thereon vote in the affirmative on said question this act shall thereupon take full effect, but not otherwise.

Approved June 1, 1954.

Chap. 533 AN ACT EXEMPTING COUNTY BEACHES FROM THE CONTROL AND SUPERVISION OF THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 91, § 61, etc., amended.

Control of county beaches.

Section 61 of chapter 91 of the General Laws, inserted by section 2 of chapter 666 of the acts of 1953, is hereby further amended by adding at the end the following paragraph:—

This section shall not apply to any area under the management or control of a county or the county commissioners thereof.

Approved June 1, 1954.

AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN LAND IN THE TOWN OF BELMONT FOR THE PURPOSE OF CONSTRUCTING A DISTRICT OFFICE ADMINISTRATIVE BUILDING. *Chap.534*

Be it enacted, etc., as follows:

The commissioner of public works on behalf of the commonwealth may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, for the purpose of constructing a district office administrative building, subject to the approval of the governor and council, certain land in the town of Belmont. Any person whose property has been taken or injured by any action of the department of public works under authority of this act may recover compensation therefor from the commonwealth under said chapter seventy-nine.

Approved June 1, 1954.

AN ACT ESTABLISHING THE RIGHTS AND REMEDIES OF HOLDERS OF OBLIGATIONS OF BOSTON METROPOLITAN DISTRICT. *Chap.535*

Be it enacted, etc., as follows:

Chapter 383 of the acts of 1929 is hereby amended by striking out section 12, as amended by section 10 of chapter 572 of the acts of 1949, and inserting in place thereof the following section:— *Section 12.* On or before the fifteenth day of June in each year the trustees shall certify to the state treasurer the estimated amount required for the current expenses of the district for the ensuing year beginning on July first, together with the amounts to be raised by taxation as authorized or directed by this or subsequent acts to be so raised and shall also certify from time to time the amount required to pay any judgments, or notes issued to provide funds for payment of any judgments, for which bonds could not be issued, and the commonwealth shall thereupon pay over to the district the amounts so certified. In addition, if at any time lawful obligations of the district are due or about to come due and funds to pay the same are not available, the trustees shall certify to the state treasurer the amount required to meet such obligations, including interest due and accruing, and the commonwealth shall thereupon pay over to the district the amount so certified. In case any notes shall be issued under section ten to provide for the payment of obligations for which funds are not otherwise available, the trustees shall reasonably in advance of the maturity of such notes certify as aforesaid the amount needed to pay the principal and interest of such notes at their maturity. In order to meet any payment required of the commonwealth under this section, the state treasurer may borrow at any time, in anticipation of the assessments to be levied as hereinafter provided upon the cities and towns constituting the district, such sums of money as may be

necessary to make said payments and he shall repay any sums so borrowed as soon after such assessments are paid as is expedient.

If the commonwealth shall not within a reasonable time make any payment required by this section to be made to the district upon a certification of the trustees hereunder, the district or, in the case of a certification made hereunder to provide funds to meet lawful obligations of the district, any holder of an unpaid bond or note of the district acting in the name and on behalf of the district, shall have the right to require the commonwealth to pay to the district the amount of such certification remaining unpaid, which right shall be enforceable as a claim against the commonwealth. The district or any such holder of an unpaid bond or note of the district may file a petition in the superior court for Suffolk county to enforce such claim or intervene in any such proceeding already commenced, and the provisions of chapter two hundred and fifty-eight of the General Laws shall apply to such petition in so far as it relates to the enforcement of a claim against the commonwealth; in addition any such holder who shall have filed such a petition and caused the district to be joined as a party defendant in such a proceeding may apply for an order of said court requiring the district to apply funds received by the district on its claim against the commonwealth to the payment of the petitioner's unpaid bond or note, and said court if it finds such amount to be due to him shall issue such an order.

In case the commonwealth shall be called upon to pay the district any amount under this section, such amount, with interest or other charges incurred in borrowing the money for the purpose, shall be assessed upon the cities and towns constituting the district as provided by section twenty of chapter fifty-nine of the General Laws in proportion to the amount of property as last previously established by the general court for said cities and towns as a basis of apportionment for state and county taxes.

Approved June 1, 1954.

Chap. 536 AN ACT AUTHORIZING THE COUNTY OF BARNSTABLE TO PURCHASE AND MAINTAIN AN AIRPLANE.

Be it enacted, etc., as follows:

The county commissioners of Barnstable county are hereby authorized to purchase and maintain an airplane to be operated under the jurisdiction of the county commissioners of said county for the prevention and detection of fires, search for lost persons, drowning victims, missing boats or fugitive criminals, for traffic surveys and for the protection of lives and property; such plane to be purchased by open competitive bids and the award to be made to the lowest responsible bidder.

Approved June 1, 1954.

AN ACT ESTABLISHING A COUNCIL FOR THE AGING.

Chap. 537

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 6 of the General Laws is hereby amended by inserting after the word "board" the second time it occurs in line 15, as appearing in section 1 of chapter 608 of the acts of 1953, the words: —, council for the aging, — so as to read as follows: — *Section 17.* The armory commission, the art commission, the commission on administration and finance, the commissioner of veterans' services, the commissioners on uniform state laws, the public bequest commission, the state ballot law commission, the board of trustees of the Soldiers' Home in Massachusetts, the board of trustees of the Soldiers' Home in Holyoke, the milk regulation board, the alcoholic beverages control commission, the state housing board, the trustees of the state library, the state racing commission, the Greylock reservation commission, the Port of Boston commission, the Massachusetts commission against discrimination, the outdoor advertising authority, the commission on alcoholism, the state airport management board, weather amendment board, council for the aging and the Massachusetts aeronautics commission shall serve under the governor and council, and shall be subject to such supervision as the governor and council deem necessary and proper.

G. L. (Ter. Ed.), 6, § 17, etc., amended.

Council for the aging, established.

SECTION 2. Said chapter 6 is hereby further amended by adding at the end, under the caption COUNCIL FOR THE AGING, the following section: — *Section 73.* There shall be a board, to be known as the council for the aging, hereinafter called the council, to consist of the commissioner of education, the commissioner of mental health, the commissioner of public health, the commissioner of public welfare, the commissioner of labor and industries, or their respective representatives, and four members to be appointed by the governor, with the advice and consent of the council. The members shall serve without compensation but shall receive their necessary expenses incurred in the discharge of their official duties. The chairman of the council shall be designated from time to time by the governor. Upon the expiration of the term of a member appointed by the governor, his successor shall be appointed in the same manner for a term of six years. Said council shall act in an advisory and consultative capacity with the general objective of co-ordinating within the several departments of the commonwealth programs designed to meet the problems of the aging and may promote, assist and co-ordinate activities designed to meet such problems at community levels.

G. L. (Ter. Ed.), 6, new § 73, added.

Membership of council.

Purpose of council.

SECTION 3. Of the members of the council for the aging first appointed by the governor, with the advice and consent of the council, under authority of this act, one shall be appointed for the term of one year, one for the term of two years, one for the term of three years and one for the term of four years.

Terms of members appointed by governor.

Approved June 1, 1954.

Chap. 538 AN ACT CREATING FACILITIES FOR CARE OF THE AGING.*Be it enacted, etc., as follows:*

G. L. (Ter. Ed.), 111, new § 57C, added.

Establishment of clinics for care of the aging, authorized.

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 57B, inserted by chapter 382 of the acts of 1953, the following section: — *Section 57C.* The department, with the co-operation of local boards of health, hospitals, dispensaries or other agencies shall establish and maintain clinics for the aging in such parts of the commonwealth as it may deem most advantageous to the public health and may otherwise provide services and treatment for aging citizens subject to such rules and regulations as the department may from time to time establish. For the purposes of this section, "services and treatment" shall include transportation, or the reasonable cost of such transportation, to and from the place where treatment is given whenever the patient is not able to pay for such transportation.

G. L. (Ter. Ed.), 111, § 65A, etc., amended.

Admission of certain aging persons to Lakeville, authorized.

SECTION 2. Said chapter 111 is hereby further amended by striking out section 65A, as most recently amended by chapter 383 of the acts of 1953, and inserting in place thereof the following section: — *Section 65A.* The department may admit to the Lakeville state sanatorium persons suffering from extra-pulmonary tuberculosis, persons crippled by poliomyelitis (infantile paralysis) or arthritis, aging persons, and crippled children as defined in the regulations of the department; provided, that no person shall be admitted who has not been a resident of the commonwealth for at least twelve months preceding the date of his application for admission, and that preference shall be given to citizens of the commonwealth.

G. L. (Ter. Ed.), 111, § 71, etc., amended.

Fees.

SECTION 3. Section 71 of said chapter 111, as amended by section 9 of chapter 602 of the acts of 1952, is hereby further amended by striking out the tenth sentence and inserting in place thereof the following sentence: — The fee for the issue or renewal of each license in the case of a hospital or sanatorium shall be fifty dollars and in the case of a convalescent or nursing home, infirmary maintained in a town, or boarding home for the aged shall be twenty-five dollars and the license shall not be transferable or assignable and shall be issued only for the premises named in the application.

G. L. (Ter. Ed.), 111, § 79, etc., amended.

Contracts for hospital care of certain tubercular patients.

SECTION 4. The first paragraph of section 79 of said chapter 111, as appearing in chapter 343 of the acts of 1936, is hereby amended by adding at the end the following two sentences: — Any city or town, which on June first, nineteen hundred and fifty-four is furnishing tuberculosis hospital provision to the satisfaction of the department in a tuberculosis hospital maintained by said city or town or in a building or ward of a hospital set apart by said city or town for its tubercular patients, may contract with any other city or town or with any county or with the department or with a private charitable tuberculosis sanatorium or hospital, for

a term of not more than three years, for suitable hospital provision, at not exceeding the actual cost to the city, town, county, commonwealth, department, or private institution, as the case may be, for tubercular patients from said city, town or county, all of said contracts to be subject to department approval and with the provision that arrangements made thereunder shall not be discontinued except after one year's written notice between the contracting parties. The department may contract with any county for care of tubercular patients for a term of not more than three years, said contract being renewable on terms satisfactory to the contracting parties for not more than a similar period, the cost of care to the department not to exceed actual cost to the county and such arrangements between the department and the county shall not be discontinued except after one year's written notice between the contracting parties.

Contents thereof, terms, etc.

SECTION 5. Section 91 of said chapter 111, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "patients", in line 15, the words: —, or in any other public or private facility caring for patients with tuberculosis.

G. L. (Ter. Ed.), 111, § 91, amended.

SECTION 6. Said chapter 111 is hereby further amended by inserting after section 91, as so appearing, the following two sections: — *Section 91A.* When, in the opinion of the county commissioners of any county or the trustees of the Bristol county tuberculosis hospital, there is no longer need in said county for hospital facilities for the treatment and care of those suffering from pulmonary tuberculosis, the commissioners, or the trustees of Bristol county sanatorium, upon approval of the department, may convert any tuberculosis hospital into a home for the care and treatment of aging persons and may from time to time fix the charge for board, care and treatment at not more than the actual cost to the county or district. Following any such conversion the home shall be continued under the general supervision of the department of public health.

G. L. (Ter. Ed.), 111, new §§ 91A, 91B, added.

Conversion of certain county hospitals into homes for aging, permitted.

Section 91B. When, in the opinion of the board of health of any city or town, there is no longer any need in said city or town for hospital facilities for the treatment and care of those suffering from pulmonary tuberculosis, the board of health, upon approval of the department, may convert any tuberculosis hospital into a home for the care and treatment of aging persons at not more than the actual cost to the city or town. Following any such conversion the home shall be continued under the general supervision of the department of public health.

Conversion of certain tuberculosis hospital facilities into homes for aging, permitted.

Approved June 1, 1954.

AN ACT RELATIVE TO OFFENCES AND PUNISHMENT FOR
NEGLECT OF MINOR CHILDREN.

Chap. 539

Be it enacted, etc., as follows:

Section 1 of chapter 273 of the General Laws, as amended by section 1 of chapter 177 of the acts of 1939, is hereby

G. L. (Ter. Ed.), 273, § 1, etc., amended.

Neglect of
minor children,
further defined.

further amended by striking out the first sentence and inserting in place thereof the following sentence: — Any husband or father who without just cause deserts his wife or minor child, whether by going into another town in the commonwealth or into another state, and leaves them or any or either of them without making reasonable provision for their support, and any husband or father who unreasonably neglects or refuses to provide for the support and maintenance of his wife, whether living with him or living apart from him for justifiable cause, or of his minor child, and any husband or father who abandons or leaves his wife or minor child in danger of becoming a burden upon the public, and any mother who deserts or wilfully neglects or refuses to provide for the support and maintenance of her child under the age of sixteen, and any parent of a minor child, or any guardian with care and custody of a minor child, or any custodian of a minor child, who wilfully fails to provide necessary and proper physical, educational or moral care and guidance, or who permits said child to grow up under conditions or circumstances damaging to the child's sound character development, or who fails to provide proper attention for said child, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than one year, or both.

Penalty.

Approved June 1, 1954.

Chap. 540 AN ACT AUTHORIZING THE TOWN OF WINCHESTER TO CONSTRUCT A SEWER IN WRIGHT STREET IN THE TOWN OF ARLINGTON.

Be it enacted, etc., as follows:

SECTION 1. The town of Winchester is hereby authorized to construct an extension of its sewerage system for a distance of approximately seven hundred feet in a portion of a way called Wright street in the town of Arlington, such extension to be subject to the approval of the selectmen of said town of Arlington.

SECTION 2. Upon the completion of the sewer extension authorized by section one, the town of Winchester shall restore such portion of Wright street to the condition that it was in at the time of starting construction, subject to the approval of the selectmen of the town of Arlington, and shall indemnify and hold harmless said town of Arlington for and because of any damage or expense which may result to it by reason of the construction of such sewer. Any such damage or expense so suffered by the town of Arlington may be recovered by it from the town of Winchester in an action of contract.

SECTION 3. This act shall take effect upon its passage.

Approved June 2, 1954.

AN ACT VALIDATING AN APPROPRIATION BY THE TOWN OF SWANSEA FOR ITS INDUSTRIAL COMMISSION DURING THE CURRENT YEAR. Chap.541

Be it enacted, etc., as follows:

SECTION 1. The vote passed by the town of Swansea at its annual town meeting held March eighth, nineteen hundred and fifty-four, appropriating the sum of fifteen hundred dollars for the use of its existing industrial commission, is hereby validated and confirmed and such action shall have the same force and effect as though chapter two hundred and ninety-seven of the acts of the current year, which authorized such an appropriation to be made, was in effect at the time of the posting of the warrant for said annual town meeting.

SECTION 2. This act shall take effect upon its passage.

Approved June 2, 1954.

AN ACT RELATIVE TO EXPENDITURES FOR THE CARE, MAINTENANCE AND REPAIR OF TUBERCULOSIS HOSPITALS IN CERTAIN COUNTIES. Chap.542

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which expenditures by certain counties for tuberculosis hospital purposes would be made without express authorization therefor by the general court, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency
preamble.

Be it enacted, etc., as follows:

The trustees of the Bristol county tuberculosis hospital and the county commissioners of the other counties herein-after specified are hereby authorized to expend for the year nineteen hundred and fifty-four the sums set forth in this act for the care, maintenance and repair of the county tuberculosis hospitals within their respective counties, and to assess the same in the manner set forth in section eighty-five of chapter one hundred and eleven of the General Laws.

The sums set forth are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with said trustees and said county commissioners and with the county treasurer a certification of the amounts set forth in the approved schedules for such hospitals. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing main group, a class or a sub-class.

Transfers from a main group to another main group may be made upon written request of said trustees or said county commissioners with the written approval of the director of accounts and copies of said request and approval shall be filed with the county treasurer.

Transfers within an appropriation between classes and between sub-classes within a main group may be made by said trustees or said county commissioners whenever in their opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main group "personal services".

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of said trustees and said county commissioners with the approval of the director of accounts. No direct drafts against the account called reserve for salary adjustments shall be made, but transfers from this account may be made, upon the request of said trustees and said county commissioners and with the approval of the director of accounts, to meet expenditures for salaries.

BRISTOL COUNTY.

Item		
1.	For personal services	\$200,370 00
2.	For contractual services	35,250 00
3.	For supplies and materials	85,890 00
4.	For current charges and obligations	18,313 06
5.	For equipment	10,730 00
7.	For land and nonstructural	1,200 00
9.	For debt and interest	11,798 50
11.	For reserve fund	2,500 00
11a.	For reserve for salary adjustment	2,100 00
For total expenditures		\$368,151 56

ESSEX COUNTY.

Item		
1.	For personal services	\$616,170 00
2.	For contractual services	55,200 00
3.	For supplies and materials	279,900 00
4.	For current charges and obligations	65,500 00
5.	For equipment	19,250 00
9.	For debt and interest	10,200 00
10.	For unpaid bills of previous years	2,000 00
11.	For reserve fund	10,000 00
11a.	For reserve for salary adjustment	8,600 00
For total expenditures		\$1,066,820 00

MIDDLESEX COUNTY.

Item		
1.	For personal services	\$947,227 00
2.	For contractual services	73,555 00
3.	For supplies and materials	403,580 00
4.	For current charges and obligations	47,586 71
5.	For equipment	12,875 00
6.	For structures and improvements	2,700 00
9.	For debt and interest	11,000 00
10.	For unpaid bills of previous years	1,000 00
11a.	For reserve for salary adjustment	9,000 00
For total expenditures		\$1,508,523 71

NORFOLK COUNTY.

Item	
1. For personal services	\$477,490 00
2. For contractual services	55,090 00
3. For supplies and materials	190,950 00
4. For current charges and obligations	23,209 55
5. For equipment	8,550 00
7. For land and nonstructural	200 00
9. For debt and interest	7,000 00
10. For unpaid bills of previous years	200 00
11. For reserve fund	7,500 00
11a. For reserve for salary adjustment	4,700 00
For total expenditures	\$774,889 55

PLYMOUTH COUNTY.

Item	
1. For personal services	\$306,376 41
2. For contractual services	41,309 72
3. For supplies and materials	144,420 00
4. For current charges and obligations	34,556 27
5. For equipment	18,176 00
6. For structures and improvements	500 00
7. For land and nonstructural	1,000 00
9. For debt and interest	25,400 00
11. For reserve fund	10,000 00
11a. For reserve for salary adjustment	3,300 00
For total expenditures	\$585,038 40

WORCESTER COUNTY.

Item	
1. For personal services	\$471,881 60
2. For contractual services	57,685 00
3. For supplies and materials	165,640 00
4. For current charges and obligations	34,444 58
5. For equipment	18,770 00
9. For debt and interest	10,000 00
11. For reserve fund	2,000 00
11a. For reserve for salary adjustment	5,000 00
For total expenditures	\$765,421 18

Approved June 2, 1954.

AN ACT RELATIVE TO THE TAXATION OF BONDS OF THE MYSTIC RIVER BRIDGE AUTHORITY. Chap. 543

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available at once the exemptions granted therein, therefore, it is hereby declared

Emergency
preamble.

to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 63, § 12, etc., amended.

Section 12 of chapter 63 of the General Laws is hereby amended by inserting after paragraph (m), inserted by chapter 436 of the acts of 1954, the following paragraph: —

(n) Bonds issued by the Mystic River Bridge Authority.

Approved June 2, 1954.

Chap. 544 AN ACT TO RESTRICT THE USE OF LABOR SPIES FURNISHED BY PRIVATE DETECTIVE AGENCIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 147, § 25B, etc., repealed.

SECTION 1. Section twenty-five B of chapter one hundred and forty-seven of the General Laws, inserted by section one of chapter four hundred and thirty-seven of the acts of nineteen hundred and thirty-seven, is hereby repealed.

G. L. (Ter. Ed.), 147, § 25C, etc., amended.

Labor activities of private detective agencies, restricted.

SECTION 2. Said chapter 147 is hereby further amended by striking out section 25C, as so inserted, and inserting in place thereof the following section: — *Section 25C.* It shall be unlawful for any private detective duly licensed under this statute to enter, or cause any person to enter, any place of employment for any purpose having to do with the organizing or organization of employees in said establishment, or any purpose having to do with hours of labor, wages or salaries paid, or conditions of employment in such establishment or its branches or subsidiaries or related units, or to disseminate propaganda of any sort among employees in such establishment, or to be concerned with labor conditions of employees as a group, nor shall any private detective pose as an employee in any such establishment for any of the aforementioned purposes. Any private detective who enters any such establishment for any purpose other than the aforementioned purposes shall within twenty-four hours after making such entry file with the commissioner of public safety a statement in writing of the purpose of such action. Violation of any provision of this section shall subject the private detective concerned to loss of his or its license for not less than one year, after opportunity for an impartial hearing by the commissioner of public safety, on written complaint of any aggrieved person, or the officer of any aggrieved labor union or association, whether incorporated or otherwise.

Approved June 2, 1954.

Chap. 545 AN ACT RELATIVE TO THE DISTRIBUTION OF CAPITAL AND CERTAIN PROFITS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 62, § 1, amended.

Section 1 of chapter 62 of the General Laws is hereby amended by striking out subsection (g), as appearing in the

Tercentenary Edition, and inserting in place thereof the following subsection:—

(g) No distribution of capital, whether in liquidation or otherwise, shall be taxable as income under this section; but accumulated profits shall not be regarded as capital under this provision. Any accumulated profits which have been transferred to capital, by stock dividend or otherwise, within two years prior to liquidation, in whole or in part, shall not be regarded as capital for the purposes of this subsection.

Distribution of capital and certain profits, how regarded.

Approved June 2, 1954.

AN ACT PROVIDING FOR RECOGNITION OF SUGGESTIONS BY STATE OFFICERS OR EMPLOYEES TO INCREASE THE EFFICIENCY OF THE STATE GOVERNMENT.

Chap. 546

Be it enacted, etc., as follows:

Chapter 7 of the General Laws is hereby amended by striking out section 31A, inserted by chapter 504 of the acts of 1953, and inserting in place thereof the following section:— *Section 31A.* There shall be within the commission a suggestion awards board, to consist of each member of the commission or a person designated by such member as his representative, for the purpose of receiving and judging suggestions made by officers or employees of the commonwealth as to methods of improving existing governmental procedures; installing new procedures for the betterment of the state service; increasing the efficiency of the several state departments, boards, commissions, or institutions operating under any state department, division, board or commission; reducing the cost of state government; or improving the service rendered to the public by any department, division, board, commission or institution.

G. L. (Ter. Ed.), 7, § 31A, etc., amended.

Suggestion awards board, established.

Said suggestion awards board shall from time to time award prizes in the form of cash or certificates of merit to the officers or employees who have submitted suggestions which, in the opinion of the board, merit an award for increasing the efficiency of the state service. The board shall, after consultation with representatives of the various state employee organizations, and subject to the approval of the governor and council, establish rules relative to the receiving and judging of such suggestions, the amount of the awards to be given, and the qualifications of the contestants, and may, subject to appropriation, expend sums for awards of cash or certificates of merit, investigation, publicity, clerical and other services and expenses necessary to carry out the purposes of this section. *Approved June 2, 1954.*

Prizes to state employees, authorized.

Chap.547 AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO CONVEY A CERTAIN PARCEL OF LAND LOCATED IN THE TOWN OF BRIDGEWATER.

Be it enacted, etc., as follows:

SECTION 1. The department of education, in the name and on behalf of the commonwealth, and subject to the approval of the governor and council, may convey to The Bridgewater Ice and Coal Company, for such sum, not less than six hundred dollars, as may be determined by said department, a parcel of land located on the southerly side of Plymouth street in the town of Bridgewater, which parcel was purchased in the year nineteen hundred and three for educational purposes and does not meet present departmental requirements, said parcel being bounded and described as follows: —

Beginning at a stake in said Plymouth street, at a corner of land of the Old Colony Railroad Company; thence by said street north 74° 35' east, sixty-five feet to a corner of land conveyed by said corporation to Charles Burrill; thence in line of said Burrill land south 23° 23' east, two hundred sixty feet to a corner; thence, still by said Burrill land, south 74° 35' west, sixty-five feet to land of said railroad; thence, in line of said railroad land, north 23° 23' west, two hundred sixty feet to the point of beginning.

SECTION 2. This act shall take effect upon its passage.

Approved June 3, 1954.

Chap.548 AN ACT EXEMPTING CERTAIN DISABLED VETERANS WHO SERVED DURING THE KOREAN EMERGENCY FROM THE PAYMENT OF THE EXCISE ON MOTOR VEHICLES OWNED, OPERATED AND REGISTERED BY THEM.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to exempt forthwith certain disabled veterans from the payment of the excise on motor vehicles owned by them, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 60A, § 1,
etc., amended.

Section 1 of chapter 60A of the General Laws is hereby amended by striking out the fifth paragraph, as amended by chapter 731 of the acts of 1950, and inserting in place thereof the following paragraph: —

Payment of
motor vehicle
excise by
certain dis-
abled veterans,
exempted.

The excise imposed by this section shall not apply to a motor vehicle owned, operated and registered by a veteran of World War I, World War II, or of service during the Korean emergency between June twenty-fifth, nineteen hundred and fifty and the termination of said emergency as declared by proper federal authority, who according to the records of the United States Veterans Administration by reason of service in the armed forces of the United States

has suffered loss, or permanent loss of use of, one or both feet, or loss, or permanent loss of use of, one or both hands. This exemption shall apply only to motor vehicles owned and operated for the personal, non-commercial use of said veterans.

Approved June 3, 1954.

AN ACT PROVIDING THAT PERSONS RECEIVING PENSIONS OR RETIREMENT ALLOWANCES WHO ARE APPOINTED TO CERTAIN POSITIONS IN TOWNS MAY RECEIVE COMPENSATION THEREFOR. Chap.549

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay that persons receiving pensions or retirement allowances and who are appointed to certain positions in towns may receive compensation therefor, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section 91 of chapter 32 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by chapter 343 of the acts of 1954, and inserting in place thereof the following sentence: — Notwithstanding the foregoing provisions of this section or similar provisions of any special law, a person who, while receiving such a pension or retirement allowance, is appointed for a term of years to a position by the governor with or without the advice and consent of the council or is appointed for a term of years to a position by the mayor or city manager of any city with or without confirmation by the city council or in Plan E cities is elected for a term of years to a position by the city council or is appointed to a position in a town and serves in such position under the direction of the selectmen thereof, shall be paid the compensation attached to the position to which he is appointed or elected; provided, that he files with the treasurer of the governmental unit paying such pension or allowance, a written statement wherein he waives and renounces for himself, his heirs and his legal representatives, his right to receive the same for the period during which such compensation is payable.

G. L. (Ter.
Ed.), 32, § 91,
etc., amended.

Persons receiving
pensions
may receive
compensation
for holding
certain
positions.

Approved June 3, 1954.

AN ACT MAKING CERTAIN CHANGES IN THE LAW RELATING TO THE EXCISE ON DEEDS, INSTRUMENTS AND WRITINGS. Chap.550

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make certain changes in the law relating to the excise on deeds, instruments and writings effective forthwith, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 64D, new §§ 3A, 3B, added.

Sale of certain excise stamps in registries of deeds, authorized.

Chapter 64D of the General Laws is hereby amended by inserting after section 3 the following two sections: — *Section 3A.* The county commissioners may draw and approve an order, which shall be certified by their clerk, directing the county treasurer to pay over to each register of deeds of his county an amount of money sufficient to meet the probable monthly requirements of each such registry for the handling of the adhesive stamps provided by section three of this chapter, to be used by said registers as a fund for the purchase, from time to time, of such stamps which may be kept and offered for sale at each such registry of deeds.

The proceeds from the sale of said stamps shall be paid into said fund and shall be used and re-used for the further purchase of said stamps, without further order and approval of the county commissioners, notwithstanding the provisions of sections ten, eleven and twenty-two of chapter thirty-five and of section thirty-nine of chapter thirty-six.

Reimbursement by commonwealth of certain surety bond premiums.

Section 3B. If a register of deeds through his county treasurer has paid the premium for a surety company bond required in connection with the obtaining, keeping and selling of such stamps, the commissioner, on proof of such payment, shall certify to the comptroller the amount so paid, and the state treasurer shall reimburse the county therefor.

Approved June 3, 1954.

Chap. 551 AN ACT PROVIDING FOR THE DESIGNATION OF ASSOCIATE MEMBERS OF BOARDS OF APPEAL UNDER THE ZONING ENABLING ACT.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make a corrective amendment in The Zoning Enabling Act and to make such amendment effective on the same date that The Zoning Enabling Act becomes effective, therefore this act is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 40A, § 14, etc., amended.

Associate members of boards of appeal, appointment of.

SECTION 1. Section 14 of chapter 40A of the General Laws, as appearing in section 2 of chapter 368 of the acts of 1954, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Such ordinances or by-laws may provide for the appointment in like manner of associate members of the board of appeals; and in case of a vacancy, inability to act, or interest on the part of a member of said board, his place may be taken by an associate member designated by the chairman.

Effective date.

SECTION 2. This act shall take effect on the same date on which chapter three hundred and sixty-eight of the acts of nineteen hundred and fifty-four takes effect.

Approved June 3, 1954.

AN ACT RELATIVE TO THE FILING OF NOTICE OF SUIT IN CERTAIN ACTIONS COMMENCED IN THE PROBATE COURT. *Chap. 552*

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 197 of the General Laws, as amended by section 4 of chapter 221 of the acts of 1933, is hereby further amended by striking out, in lines 6 and 16, respectively, the words "but not entered", — so as to read as follows: — *Section 9.* Except as provided in this chapter, an executor or administrator shall not be held to answer to an action by a creditor of the deceased which is not commenced within one year from the time of his giving bond for the performance of his trust, or to such an action which is commenced within said year unless before the expiration thereof the writ in such action has been served by delivery in hand upon such executor or administrator or service thereof accepted by him or a notice stating the name of the estate, the name and address of the creditor, the amount of the claim and the court in which the action has been brought has been filed in the proper registry of probate. An executor, administrator or administrator de bonis non shall not be held to answer to an action by a creditor of the deceased which is commenced within any other or additional period of limitation for bringing such action provided by or under this chapter unless before the expiration of such period the writ in such action has been served by delivery in hand upon him or service thereof accepted by him or a notice as aforesaid has been filed in the proper registry of probate. The probate court may allow creditors further time for bringing actions, not exceeding two years from the time of the giving of his official bond by such executor or administrator, provided that application for such further time be made before the expiration of one year from the time of the approval of the bond.

G. L. (Ter. Ed.), 197, § 9, etc., amended.

Filing of notice in certain suits in probate court, regulated.

SECTION 2. Said chapter 197 is hereby further amended by striking out section 10, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 10.* If the supreme judicial court, upon a bill in equity filed by a creditor whose claim has not been prosecuted within the time limited by section nine, deems that justice and equity require it and that such creditor is not chargeable with culpable neglect in not prosecuting his claim within the time so limited, it may give him judgment for the amount of his claim against the estate of the deceased person, provided forthwith upon the filing of the bill a notice such as provided in section nine has been filed in the proper registry of probate; but such judgment shall not affect any payment or distribution made before the filing of such bill and notice.

G. L. (Ter. Ed.), 197, § 10, amended.

Supreme judicial court may relieve after claim barred.

Approved June 3, 1954.

Chap.553 AN ACT FURTHER REGULATING THE ISSUANCE OF CERTAIN DISTINGUISHING PLATES TO CARRIERS OF PROPERTY BY MOTOR VEHICLE AND INCREASING THE FEE FOR THE TRANSFER THEREOF.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 159B, § 9, etc., amended.

Issuance of certain distinguishing plates to certain motor vehicle carriers, regulated.

Fee.

Chapter 159B of the General Laws is hereby amended by striking out section 9, as most recently amended by section 3 of chapter 52 of the acts of 1947, and inserting in place thereof the following section:— *Section 9.* A single distinguishing plate shall be prescribed and furnished by the department annually for each of the vehicles necessary for the conduct of the business of the holder of the certificate or permit, upon his application to the department, and said plates shall be prominently displayed on the front of each such vehicle whenever operated. Each such plate shall be accompanied by a certificate issued by the department, which shall be in the possession of the driver at all times while operating and shall set forth the make, manufacturer's serial number, if any, and motor number, if any, of the vehicle with respect to which said plate shall be used. As used in this section and in section ten, the word "vehicle" shall include a tractor, with or without a semi-trailer unit. No such plate shall be transferred from one vehicle to another, except upon authority and with the consent of the department and upon payment of a transfer fee of two dollars, except as provided in section ten B. The annual charge for each plate shall be five dollars. The department in its discretion may refuse to issue such a distinguishing plate to the holder of any certificate or permit pending any complaint or hearing upon the question of revocation or suspension of such certificate or permit, or in which such question is involved.

Approved June 3, 1954.

Chap.554 AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MAKE REPAIRS AND ALTERATIONS TO THE SHAKER MILL DAM ON THE WILLIAMS RIVER IN THE TOWN OF WEST STOCKBRIDGE AND AUTHORIZING THE SAID TOWN TO ACCEPT TRANSFER OF TITLE TO CERTAIN LAND THEREIN.

Be it enacted, etc., as follows:

SECTION 1. The department of public works is hereby authorized and directed to make such repairs and alterations and such other improvements as are necessary or advisable to the so-called Shaker Mill dam in the town of West Stockbridge for the purpose of increasing the spillway capacity of said dam. No work shall be done hereunder until the town of West Stockbridge shall have assumed liability in the manner provided by section twenty-nine of chapter ninety-one of the General Laws for all damages that may be incurred under the project. For the purposes of this act

there may be expended such sums as are now available or may hereafter be appropriated therefor.

SECTION 2. The town of West Stockbridge is hereby authorized to accept by vote at a regular or special town meeting a conveyance of certain land of the Southern Berkshire Power & Electric Company on which the so-called Shaker Mill dam and abutments thereto are located, whereby the town is to maintain said dam and sluice gates therein, as now or hereafter constructed, and whereby there is reserved to the grantor the right to operate said sluice gate or gates at its discretion for the discharge of water; and such conveyance shall be subject to such other terms as said town meeting may approve.

SECTION 3. Nothing herein contained shall be construed as prohibiting the town of West Stockbridge from assessing and taxing to the owner thereof the water rights excepted or reserved by the terms of this act. *Approved June 3, 1954.*

AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COM- Chap.555
MISSION TO REBUILD THE PRISON POINT BRIDGE.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to rebuild and reconstruct the Prison Point bridge in the cities of Cambridge and Boston.

The department of correction is hereby authorized and directed to transfer to the metropolitan district commission for the purposes of this act the care and control of so much of the land now occupied by the state prison as may be necessary.

When the work of rebuilding and reconstructing said bridge is completed and said commission shall have so certified in writing to the respective mayors of the city of Boston and the city of Cambridge, so much of said bridge as lies within the territorial limits of each said city shall thereafter be policed by said city.

For the purposes of this act, the commission is hereby authorized to expend such sums as may be appropriated therefor.

Approved June 3, 1954.

AN ACT RELATIVE TO THE ENFORCEMENT OF THE SUPPORT Chap.556
OF DEPENDENTS.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by striking out chapter 273A and inserting in place thereof the following chapter: —

G. L. (Ter.
Ed.), 273A,
amended.

CHAPTER 273A.

UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT.

Section 1. In this chapter, unless otherwise expressly provided or the context otherwise requires, the following words and phrases shall have the following meanings: — Definitions.

"Court", a district court of this commonwealth and, when the context requires, the court of any other state as defined in a reciprocal law substantially similar to this chapter.

"Duty of support", any duty of support imposed by law, or by any court order, decree or judgment, whether interlocutory or final, whether incident to a proceeding for divorce, legal separation, separate support, or otherwise.

"Initiating state", a state in which a proceeding pursuant to the provisions of this chapter or a reciprocal law substantially similar to this chapter is commenced.

"Obligee", any person to whom a duty of support is owed.

"Obligor", any person owing a duty of support.

"Responding state", a state in which a proceeding pursuant to the proceeding in the initiating state is or may be commenced.

"State", includes any state, territory or possession of the United States and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.

Remedies.

Section 2. The remedies provided in this chapter are in addition to and not in substitution for any other remedy.

Duty of support, binding effect of.

Section 3. The duty of support imposed by the laws of the commonwealth or by the laws of the state where the obligee was present when the failure to support commenced as provided in section four, and the laws relative to the enforcement thereof, bind the obligor regardless of the presence or residence of the obligee.

Duties of support, when imposed.

Section 4. Duties of support enforceable under this chapter are those imposed under the laws of any state in which the alleged obligor was present during the period for which support is sought or in which the obligee was present when the failure to support commenced.

Reimbursement to state, etc., in certain cases, authorized.

Section 5. Whenever any state or political division thereof has furnished support to an obligee it shall have the same right to commence proceedings under this chapter, in the name of the obligee, as the obligee to whom the support was furnished, so that it may secure reimbursement for expenditures so made, and to obtain continuing support.

Jurisdiction.

Section 6. The duty of support shall be enforceable by petition filed in a district court, irrespective of the relationship between the obligor and the obligee. Any proceeding hereunder shall be commenced in a district court within whose jurisdiction the obligee is an inhabitant or a resident.

Petition, contents of.

Section 7. The petition shall be verified and shall state the name and, so far as known to the petitioner, the address and circumstances of the respondent, and the dependents for whom the duty of support is sought to be enforced, and all other pertinent information.

Certificate of court upon certain finding.

Section 8. If the court finds that the petition sets forth facts from which it may be determined that the respondent owes a duty of support, and that a court of a responding state may obtain jurisdiction of the respondent or his prop-

erty, it shall so certify, and shall cause certified copies of the petition and the certificate to be transmitted to the court of the responding state.

Transmittal thereof.

Section 9. When the district court receives from a court of an initiating state certified copies of the petition, or other pleadings containing the essential allegations of a petition under sections six and seven under whatever name it may be known, and the certificate referred to in section eight, it shall docket the cause, take appropriate steps to obtain jurisdiction of the respondent by personal service and schedule the matter for a speedy hearing. It may assign a probation officer to the case.

Procedure in district court.

Section 10. When this commonwealth is a responding state, and the court finds a duty of support, it may order the respondent to furnish support or reimbursement therefor in a reasonable amount, and subject the property of the respondent to such order.

Order of court.

Section 11. The court shall cause to be transmitted to the court of an initiating state a copy of all orders for support or for reimbursement therefor.

Copies of orders, transmittal thereof.

Section 12. In addition to the foregoing powers, the court, when the commonwealth is a responding state, may subject the respondent to such terms and conditions as it deems proper to assure compliance with its orders, and may require the respondent to make payments at specified intervals to a probation officer assigned by the court, and punish a respondent who violates any order of the court to the same extent as is provided by law for contempt in any other suit or proceeding.

Further powers of court.

Section 13. When, in proceedings under this chapter, the commonwealth is acting as a responding state, and the probation officer receives payments from a respondent, pursuant to an order of the court or otherwise, he shall forthwith transmit the same to the court of the initiating state, less any amounts which the court may order withheld for counsel fees or expenses authorized under section fifteen or elsewhere, and upon request of said court shall furnish a certified statement of all payments made by the respondent.

Disbursement of payments received in this commonwealth, regulated.

Section 14. The probation officer assigned by the court shall, in proceedings in which the commonwealth is an initiating state, receive and disburse forthwith to the petitioner all payments made by the respondent or transmitted by the court of the responding state. He may be authorized to commingle funds from two or more respondents in one account.

Duties of probation officer.

Section 15. When the commonwealth is the initiating state, the petitioner shall pay the entry fee required under section two of chapter two hundred and sixty-two, plus such further sum as may be required under the laws of the responding state, said further sum being payable after entry of the petition upon verification of the amount in accordance with the rules of court.

Entry fees, etc.

When the commonwealth is the responding state, the

petitioner shall in the first instance pay to the clerk the entry fee as provided in said section two of chapter two hundred and sixty-two, plus the further sum of two dollars for service of process upon the responding obligor. The court may, after hearing, order the respondent to reimburse the petitioner for costs or disbursements incurred under this chapter.

Appointment
of counsel by
court, au-
thorized.

If the petitioner is without counsel and it appears to the court that there is need for counsel to represent the petitioner, the court may on its own motion appoint counsel to represent the petitioner and may direct that a reasonable fee, fixed by the court, be paid to counsel out of the funds, if any, paid by respondent under court order.

Upon receipt of a petition under this chapter, the court may assign the same to a probation officer for supervision.

Action re-
quired when
respondent
not within
jurisdiction.

When papers are sent to a district court of this commonwealth under this chapter, and the respondent is not found within the jurisdiction of that court, the said papers and moneys tendered on behalf of the petitioner shall, if it appears from the record or otherwise that the respondent may be found in some other district of the commonwealth, be transferred to said district, and the initiating court shall be so informed. If there is no indication that the respondent can be found in this commonwealth, said papers and moneys shall be returned to the initiating court.

Severability
provision.

Section 16. If any part, section or subdivision of this chapter or the application thereof to any particular person, persons or conditions is held invalid, unconstitutional or inoperative, the remainder hereof, or the application of any such part, section or subdivision to other persons and conditions, shall not be affected thereby.

Chapter to be
cited as
Uniform
Reciprocal
Enforcement
of Support Act.

Section 17. This chapter may be cited as the Uniform Reciprocal Enforcement of Support Act, and shall be so construed and interpreted as to accomplish its general purpose to make substantially uniform the laws of states enacting like law.

G. L. (Ter.
Ed.), 215,
§ 6, etc.,
amended.

SECTION 2. Section 6 of chapter 215 of the General Laws is hereby amended by striking out the next to the last sentence, inserted by section 2 of chapter 657 of the acts of 1951.

G. L. (Ter.
Ed.), 218,
§ 19, etc.,
amended.

SECTION 3. Section 19 of chapter 218 of the General Laws, as most recently amended by section 1 of chapter 296 of the acts of 1943, is hereby further amended by adding at the end the following sentence: — District courts shall also have jurisdiction of civil proceedings under chapter two hundred and seventy-three A.

Jurisdiction.

G. L. (Ter.
Ed.), 262,
§ 40, etc.,
amended.

SECTION 4. Section 40 of chapter 262 of the General Laws is hereby amended by striking out the third paragraph, inserted by section 4 of chapter 657 of the acts of 1951.

G. L. (Ter.
Ed.), 262,
§ 2, etc.,
amended.

SECTION 5. Section 2 of said chapter 262, as most recently amended by section 2 of chapter 328 of the acts of 1954, is hereby further amended by inserting after the third paragraph the following paragraph: —

Entry fee.

For the entry of a petition under chapter two hundred and seventy-three A, three dollars.

SECTION 6. Section 8 of said chapter 262, as amended by chapter 135 of the acts of 1947, is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 262, § 8, etc., amended.

For service of an order of notice under chapter two hundred and seventy-three A, two dollars, without travel allowance.

Fee.

SECTION 7. The administrative committee of the district courts may make rules applicable to all district courts except the municipal court of the city of Boston, and the justices of that court or a majority of them may make rules applicable to that court, relative to the accounting by probation officers of moneys received and paid by them under the provisions of chapter two hundred and seventy-three A of the General Laws.

Accounting of moneys received under act, regulated.

The courts may provide for service upon the respondent by a constable or a deputy sheriff, and may allocate the fee of two dollars, provided in section fifteen of chapter two hundred and seventy-three A of the General Laws, as appearing in section one of this act, in lieu of the usual fee and travel allowance.

Service upon respondent.

SECTION 8. All petitions and matters incidental thereto in cases in which the commonwealth is the initiating state, pending on the effective date of this act before a probate court, shall be transferred to the district court of the district of which the obligee is an inhabitant or a resident for further disposition, and all petitions and matters incidental thereto in cases in which the commonwealth is the responding state, pending on the effective date of this act before a probate court, shall be transferred to the district court of the district of which the obligor is, or is alleged in the petition to be, or has been found by the court to be, an inhabitant or a resident for further disposition.

Transfer of jurisdiction from probate courts, etc.

All petitions and matters incidental thereto which have been heard but not decided by a probate court prior to the effective date of this act shall remain within the jurisdiction of said probate court until finally decided, and upon such final decision shall be transferred to the proper district court, as heretofore provided, for further proceedings.

All petitions and matters incidental thereto in cases pending in a probate court upon the effective date of this act, and thereafter transferred to a district court, as provided by this section shall be received and entered upon the docket of said district court without the payment of the entry fee required by section two of chapter two hundred and sixty-two of the General Laws, as amended by section one of this act.

SECTION 9. Any party in a proceeding under chapter two hundred and seventy-three A of the General Laws, as appearing in section one of this act, aggrieved by any ruling on a matter of law in any case, including cases transferred to the district court under section eight of this act, may as of right have such ruling reported for determination by the appellate division of the district court in which the proceeding is commenced or to which it has been transferred, and shall be subject to the provisions of sections one hundred

Appeal.

and eight, one hundred and nine and one hundred and ten of chapter two hundred and thirty-one of the General Laws.

Effective date.

SECTION 10. This act shall take effect on October first, nineteen hundred and fifty-four. *Approved June 3, 1954.*

Chap. 557 AN ACT RELATIVE TO THE PEACEFUL SETTLEMENT OF INDUSTRIAL DISPUTES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 150B, §§ 3, 4, etc., amended.

Duty of governor upon certification to him of labor dispute.

SECTION 1. Chapter 150B of the General Laws, inserted by chapter 596 of the acts of 1947, is hereby amended by striking out sections 3 and 4 and inserting in place thereof the following two sections: — *Section 3.* In the event that the commissioner of labor and industries finds that a labor dispute has not been settled by collective bargaining and imminently threatens a substantial interruption in the production or distribution of essential goods or services, he shall certify such dispute to the governor. The governor shall thereupon conduct such investigation of the dispute as he deems appropriate under the circumstances but the investigation shall include, unless the governor deems it impracticable, an informal hearing before the governor, the commissioner of public safety and the commissioner of labor and industries at which the parties to the dispute shall be heard upon the sole question whether an interruption is imminent and would curtail the availability of essential goods or services to such an extent as to endanger the health or safety of any community. If the governor so finds and proclaims, and further finds and proclaims that the intervention of government will be in the public interest and in accordance with the policy of this chapter, then he is authorized to invoke either or both of the following procedures for the settlement of the dispute: —

Governor may require appearances of parties before a moderator.

Duties of moderator.

(A) The governor may require the employer and representatives of the employees, parties to the dispute, to appear before a moderator appointed by him and show cause why they should not submit the dispute to arbitration. The moderator shall be an impartial person skilled in industrial relations. The moderator may act as mediator or conciliator to such an extent as he deems appropriate and, if the dispute is not settled, shall endeavor to induce the parties to submit the dispute to arbitration in such form as may be mutually acceptable, and to this end he may conduct such investigation and public or private hearing as he deems appropriate. If either or both of the parties refuses to comply with the request of the moderator to submit the dispute to arbitration, the moderator, without expressing an opinion on the merits of the dispute, shall make public his findings as to the responsibility of either or both parties for the failure to reach an agreement to arbitrate the dispute.

A submission to arbitration shall be arranged or the findings of the moderator published within fifteen days after the governor's proclamation or such additional period as may be

mutually agreeable to the parties. For fifteen days after the governor's proclamation and any additional period mutually agreeable to the parties, no change shall be made, except by mutual agreement, in the rates of pay, wages, hours, or other terms or conditions of employment in effect prior to the time the events giving rise to the dispute took place, and there shall be no interruption in the production or distribution of the essential goods or services produced or distributed by the parties to the dispute.

(B) The governor may request the parties voluntarily to submit the dispute to an emergency board of inquiry of three members empowered to recommend the terms upon which the parties should settle the dispute, including the date, prospective or retroactive as of which its recommendations should be made effective. To this end the governor may request the employer forthwith to designate a member to represent industry and the representatives of the employees to designate a member to represent labor, neither of whom shall be a person who has theretofore participated in the dispute. The industry and labor members shall select a third impartial member to represent the general public. If such third person is not selected within seventy-two hours, the governor may appoint the third member either before or after arranging a submission of the dispute. In the former event the emergency board shall meet with the parties and report to the governor within five days whether the parties have agreed to comply with his request to submit the dispute for its findings and recommendations. If there is no agreement the emergency board shall be discharged.

Voluntary submission to emergency board of inquiry, provided.

Membership thereof.

If a submission is arranged the emergency board shall conduct its hearing and make and file its findings and recommendations with the governor within a period of thirty days after the submission of such dispute, unless the parties shall mutually agree to extend the period. Prior to the filing of the findings and recommendations and for ten days thereafter, no change shall be made, except by mutual agreement of the parties, in the rates of pay, wages, hours, or other terms or conditions of employment in effect prior to the time the events giving rise to the dispute took place, and there shall be no interruption in the production or distribution of the essential goods or services produced or distributed by the parties to the dispute. Within ten days after the report of the emergency board is filed each party shall notify the governor whether it accepts the recommendations.

Duties of board.

Section 4. (a) Whenever the governor finds that as a result of a labor dispute an interruption of production or distribution has occurred or is imminently threatened which would curtail the availability of essential goods or services to such an extent as to endanger the health or safety of any community and that such dispute either (a) has not been settled under the procedures established by section three or (b) is of such a nature that those procedures cannot be applied thereto, he shall thereupon declare that an emergency exists

Declaration by governor of emergency in respect to essential goods or services.

in respect to such essential goods or services. During such emergency the governor may —

Governor may arrange for continuation of services.

(A) Enter into arrangements with either or both of the parties to the dispute for continuing the production or distribution of such part of the goods or services theretofore produced or distributed by them as may be necessary to safeguard the public health and safety. The governor with the approval of the council may make and promulgate rules and regulations, to be effective immediately, for carrying out such arrangements and preventing interference therewith.

Seizure by governor of any plant or facility involved in dispute, authorized.

(B) (1) Take possession of, and operate in whole or in part, any plant or facility of a party to the dispute the full or partial operation of which by the commonwealth he deems to be necessary as a result of such dispute, in order to safeguard the public health or safety. Such power and authority may be exercised through any department or agency of the commonwealth and with the assistance of such public or private instrumentalities or persons as may be designated by the governor. Such plant or facility shall be operated for the account of the person operating it immediately prior to the seizure; provided, that such person shall have the right to elect, by written notice filed with the governor within ten days after such seizure, to waive all claims to the proceeds of such operation, and to receive in lieu thereof fair and reasonable compensation for the appropriation and temporary use of his property, for which he may bring a petition for damages against the commonwealth under chapter two hundred and fifty-eight. In determining the amount of compensation to be awarded in such proceedings, there shall be taken into account the existence of the labor dispute which interrupted or threatened imminently to interrupt the private operation of such plant or facility, and the effect of such interruption or threatened interruption upon the value to the petitioner of the use of such plant or facility.

Wages, hours, etc., to remain same upon seizure.

(2) The declaration of emergency or the seizure and operation of a plant or facility by the commonwealth shall not render inapplicable any state or federal law concerning the health, safety, security and employment standards, and the department or agency operating such plant or facility shall comply with said laws as if it were privately operated. During such emergency the rates of pay, wages, hours, and other terms and conditions of employment theretofore effective shall be maintained without change; provided, that if an emergency board of inquiry shall have been appointed and shall, after a hearing, have recommended changes in rates of pay, wages, hours, or other terms or conditions of employment, such changes may, in the discretion of the governor, be made effective in any plant which is being operated by the commonwealth; and provided, further, that when no emergency board of inquiry has been appointed, the governor may appoint a special commission which shall, except as provided by paragraph (3), after a hearing, make recommendations concerning the rates of pay, wages, hours,

Exceptions thereto.

and terms and conditions of employment for the period of public operation, which recommendations may, in the discretion of the governor, be made effective in such plant or facility during said period. The special commission shall base its recommendations on such of the factors normally taken into account in collective bargaining or voluntary arbitration as it deems material, including the conditions in existence in the industry affected. The special commission shall be composed of not less than three nor more than six members designated either to represent the general public or with equal numbers to represent industry, labor and the public, but in the latter event the governor before appointing the members of such commission shall request the employer to recommend the members to represent industry and the representatives of the employees to recommend the members to represent labor. If the commission recommends a change, it shall include in its recommendations a date, prospective or retroactive, but not prior to the date of such public operation as of which its recommendations shall be made effective and in doing so shall consider evidence as to the responsibility of either party for delaying a settlement or rejecting arbitration.

(3) In the case of a labor dispute between or among parties to a valid and existing collective bargaining agreement, the authority of any special commission appointed under this section shall be limited, with respect to the unexpired period of such agreement, to the determination of grievances asserted thereunder, and the making of recommendations or determinations concerning the proper interpretation and application of the provisions of such agreement; provided, that if the said existing collective bargaining agreement shall contain provisions for arbitration of grievances or interpretations of such agreement, a special commission appointed by the governor hereunder shall take no action inconsistent with such agreement. Recommendations which may be made by such a commission in excess of its authority as herein limited shall not be made effective during the period of public operation.

Authority
of special
commissions
limited.

(b) During such emergency it shall be unlawful for any person to engage in any concerted activities interfering or threatening to interfere with the operation of any plant or facility which is being operated by the commonwealth for the purpose of bringing about any change in rates of pay, wages, hours, or terms or conditions of employment; or to aid or encourage any such concerted cessation of work or other concerted activities by giving direction or guidance in the conduct thereof or by providing funds for the payment of strike, unemployment or other benefits to persons participating therein; or to violate any rule or regulation promulgated by the governor with the approval of the council under paragraph (A). Nothing in this chapter shall be construed as requiring any individual employee to render labor or service without his consent. In the case of partial opera-

Strikes and
certain activi-
ties unlawful
during period
of public
control.

tion this subsection (b) shall apply only to that portion of the operation of a plant or facility carried on by the commonwealth.

Public control to cease if notice of settlement of dispute is given governor.

(c) Whenever the parties to a labor dispute which has led the governor to proclaim the existence of an emergency under this section shall jointly report in writing to the governor that they have executed an agreement terminating or adjusting the said dispute, and that they are in a position to resume or continue without interruption the operation of any plant or facility for the production or distribution of essential goods or services the governor shall terminate forthwith with respect to such plant or facility any arrangements made pursuant to paragraph (A) and, if such plant or facility is being operated by the commonwealth, it shall be restored immediately to the person entitled thereto. The supreme judicial court or the superior court shall have jurisdiction in equity, on petition of any aggrieved party, to enforce compliance with the provisions of this subsection.

Termination of emergency.

(d) Whenever, in the opinion of the governor, the intervention of the commonwealth under this section is no longer necessary to safeguard the public health or safety, he shall declare the termination of the emergency without regard to the settlement or continuation of the labor dispute.

G. L. (Ter. Ed.), 150B, new § 8, added.

Fees and expenses of moderators, etc.

SECTION 2. Said chapter 150B of the General Laws is hereby further amended by adding at the end the following section:— *Section 8.* Any person appointed by the governor to serve as a moderator or as a member of a special commission or as an impartial member of an emergency board or any person selected as an impartial member of an emergency board under the provisions of this act, shall receive a per diem fee of fifty dollars plus reasonable and necessary expenses. The commissioner of labor and industries is authorized and directed to arrange for any facilities required by such boards or moderators including the place for the hearing and stenographic transcripts of the hearing and the commonwealth shall pay for the same upon the certification of the commissioner. *Approved June 3, 1954.*

Chap. 558 AN ACT RELATIVE TO THE PROMOTION AND SALE OF SECURITIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 110A, § 3, amended.

Exempted securities and sales under sale of securities act.

SECTION 1. Chapter 110A of the General Laws is hereby amended by striking out section 3 and inserting in place thereof the following section:— *Section 3.* Except as provided in this section, the prohibitions and restraints imposed by this chapter, including without limitation those provided for in sections eleven and eleven A to eleven E, inclusive, shall not apply to the following types of sales:—

(a) Any isolated sale; but this exemption shall not include a sale made in the course of repeated and successive transactions of a like character.

(b) Any judicial sale.

(c) Any sale, by a pledge holder or mortgagee, selling in the ordinary course of business, of a security pledged with him in good faith as security for a bona fide debt.

(d) Any sale by an executor, administrator, conservator, guardian, trustee, receiver or trustee in insolvency or bankruptcy, appointed by any court; or any sale by a corporation of its stock for a delinquent assessment made in accordance with law.

(e) The distribution by a corporation of its or other securities, whether as a share dividend, distribution out of surplus, liquidating dividend or otherwise, to its own security holders or their assigns; the distribution or exchange of securities issued under a reorganization or recapitalization by a corporation or corporations party thereto to security holders thereof or their assigns; or the sale by a corporation of its securities to and among its security holders or their assigns; provided, in all cases, that the same be done without payment of any promotion fee, or payment of any salary, commission or expense to any broker or salesman in connection therewith, except for compensation paid to a person in respect of his agreement to purchase any securities offered by a corporation to its security holders or their assigns which are not purchased by such security holders or their assigns. For the purposes of this paragraph and paragraphs (f) and (h), "corporation" shall include any organization having transferable shares.

(f) The issuance and sale by any corporation organized under or pursuant to the laws of this commonwealth of its securities at a time when the number of security holders of said corporation does not, and will not in consequence of such sale, exceed twenty-five, or where the aggregate amount raised by such issuance and sale and all prior sales does not exceed twenty-five thousand dollars.

(g) Any sale of notes secured by mortgage of real or personal property, where the title to the entire security for said notes is sold and transferred therewith.

(h) Any sale of securities to a registered broker, national bank, trust company, savings bank, insurance company or any corporation.

(i) Sales at public auction of securities not otherwise exempt, if the authority of the commission therefor has been obtained, and upon such conditions as the commission may prescribe.

(j) Any sale of shares or securities of any corporation incorporated under chapter one hundred and fifty-seven whose authorized capital stock does not exceed fifty thousand dollars; provided, that no expenditure shall be made by or on behalf of such corporation in connection with the issue or sale of such shares or securities other than the actual expenses of organization, calling or holding meetings of incorporators or shareholders, printing, mailing and taxes.

(k) The commission may, in accordance with such rules, regulations, and upon such conditions and limitations as it

may prescribe, exempt other sales and types of sales from the provisions of this chapter.

The commission may for cause forbid any sale exempted under the provisions of paragraphs (c), (d), (e), (f), (g), (h), (i), (j) and (k) of this section, and such sale shall not thereafter be made except as the commission may determine.

SECTION 2. Section 4 of said chapter 110A is hereby amended by striking out paragraph (h), as appearing in section 1 of chapter 290 of the acts of 1932.

SECTION 3. The next to the last paragraph of section 5 of said chapter 110A, inserted by section 6 of chapter 445 of the acts of 1938, is hereby amended by striking out the last sentence.

SECTION 4. Section 10 of said chapter 110A is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 290 of the acts of 1932, and inserting in place thereof the following sentence: — It shall be accompanied by a certificate of two responsible persons that in their opinion the applicant is, or, in case of an organization, that the partners, trustees, directors and other officers or managing agents are, honest and of good repute.

SECTION 5. The first paragraph of said section 10 of said chapter 110A, as amended by section 8 of chapter 445 of the acts of 1938, is hereby further amended by adding at the end the following three sentences: — Such service of process under this section shall be made by leaving duplicate copies thereof with a fee of two dollars in the hands of the secretary of the commission, or in his office, and the secretary of the commission shall forthwith send one of said copies by mail, postage prepaid, addressed to the defendant at his last address as appearing on the commission's records; and an affidavit of the secretary of the commission, or of any person authorized by him to mail such copy, that such copy has been so mailed shall be prima facie evidence of such mailing. One of said copies of such process, certified by the secretary of the commission as having been served upon him, shall be sufficient evidence of service upon him under said power of attorney. The court in which the action is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action.

Approved June 3, 1954.

Chap.559 AN ACT RELATIVE TO THE SOLICITATION OF FUNDS FOR CHARITABLE PURPOSES.

Be it enacted, etc., as follows:

Chapter 68 of the General Laws is hereby amended by inserting after section 16, as appearing in the Tercentenary Edition, the following section: — *Section 17.* No person, group of persons, firm, association or corporation, except as hereinafter provided, shall solicit funds or other property for charitable or benevolent purposes until such person,

G. L. (Ter. Ed.), 110A, § 4, etc., amended.

G. L. (Ter. Ed.), 110A, § 5, etc., amended.

G. L. (Ter. Ed.), 110A, § 10, etc., amended.

Certificate of good character required for license.

G. L. (Ter. Ed.), 110A, § 10, etc., further amended.

Service of process, fees, etc.

G. L. (Ter. Ed.), 68, new § 17, added.

Solicitation of funds for charitable purposes, regulated.

group of persons, firm, association or corporation shall have provided certain information concerning such solicitation, as required by the terms of this section, on forms to be provided by the office of the attorney general, and filed such information with the clerk of each city or town where such solicitation is to be conducted; provided, however, that if solicitation is to be conducted in more than one city or town such information may be filed with the office of the attorney general instead of with such clerks; and provided, further, that if such solicitation is to be conducted by paid solicitors such information shall be filed with the clerk of each city or town in which paid solicitors are to solicit. The information so filed shall be available to the general public as a matter of public record.

The forms containing said information shall be signed by such person or in the case of a group of persons, firm, association or corporation by the principal officer of the organization concerned, and shall include (1) the identity of the person, group of persons, firm, association or corporation by whom or for whom the solicitation is to be conducted; (2) the address of such person or the address of the principal office or headquarters of such group of persons, firm, association or corporation and the names and addresses of the officers thereof; (3) the purpose or purposes for which the funds or property solicited are to be used; (4) the individual or officer who will have custody of the funds or property received; (5) the person or persons responsible for the distribution thereof; (6) the period of time during which such solicitation is to be conducted; (7) a description of the method or methods of solicitation in such detail as may from time to time be determined by the attorney general; (8) whether such solicitation is to be conducted by voluntary unpaid solicitors, by paid solicitors, or both; and (9) if in whole or in part by paid solicitors the name and address of the person or organization, if any, supplying such solicitors, the basis of payment and the nature of the arrangement with such paid solicitors.

Certain information to be filed before solicitation of funds.

In cases where a promoter for compensation is involved, he shall file a signed statement on a form to be provided by the office of the attorney general giving (1) his name; (2) permanent address and address where he can be reached during the solicitation; (3) a description of the method or methods to be employed in such solicitation in such detail as may from time to time be determined by the attorney general, including the amount and method of compensation to him; and (4) if such solicitation is to be conducted in whole or in part by paid solicitors, the name and address of the person or organization, if any, supplying such solicitors, the basis of payment and the nature of the arrangement with such paid solicitors.

Information required of paid promoter.

Any person, group of persons, firm, association or corporation engaged in soliciting funds, subject to the provisions of this section, shall within ninety days after the period of

Information to be filed after solicitation of funds.

solicitation specified file the following information in the manner and in the place or places hereinbefore provided: — (1) the gross amount of the funds or the value of the property pledged or collected; (2) the amount thereof given or to be given to the charitable purpose represented; (3) the aggregate amount paid and to be paid for the expenses of such solicitation; and (4) the aggregate amount paid to and to be paid to solicitors and promoters.

Inapplicable to certain organizations and solicitations.

This section shall not apply to solicitations conducted by or on behalf of churches, religious organizations, non-profit charitable hospitals, or educational institutions incorporated in this commonwealth, to solicitations conducted exclusively among the members of any organization by the members thereof, or to solicitations where the gross amount of the funds to be raised or the value of the property to be donated is one thousand dollars or less to be collected by voluntary or unpaid solicitors; nor shall the provisions of this section apply to anyone who solicits on a voluntary and unpaid basis for or on behalf of any person, group of persons, firm, organization or corporation.

Keeping of records, etc.

Every person, group of persons, firm, association or corporation subject to the provisions of this section shall keep a full and true record in such form as will enable such person, group of persons, firm, association or corporation accurately to provide the information required by this section. All records required hereunder shall be open to inspection at all times by the attorney general, and upon demand shall be presented to him for inspection. Upon an information in equity brought by the attorney general the supreme judicial or superior court may enforce the provisions of this section and may restrain the soliciting of contributions by or on behalf of a person, association or corporation violating its provisions.

Public inspection thereof.

Enforcement of act by attorney general.

Penalties.

Any person conducting a solicitation in violation of the provisions of this section or filing false information hereunder shall be punished by a fine not to exceed five hundred dollars or by imprisonment for six months in jail, or both, and in the case of a solicitation conducted in violation of the provisions of this section by a firm, association or corporation, every officer or agent thereof who authorizes or conducts such solicitation, shall be jointly and severally liable for such fine, together with the firm, association or corporation.

Approved June 3, 1954.

Chap. 560 AN ACT RELATIVE TO THE TAXATION OF CERTAIN DIVIDENDS. *Be it enacted, etc., as follows:*

G. L. (Ter. Ed.), 62, § 8, amended.

Section 8 of chapter 62 of the General Laws is hereby amended by striking out subsection (e), as appearing in the Tercentenary Edition, and inserting in place thereof the following subsection: —

(e) Income of intangible personal property exempt from taxation by section five of chapter fifty-nine, except under

clauses seventeenth, eighteenth, twenty-second, twenty-third, twenty-seventh, twenty-ninth, thirty-first, thirty-second and thirty-third of said section.

Approved June 3, 1954.

AN ACT RELATIVE TO THE TAXATION OF THE LANDS OF THE COMMONWEALTH SITUATE IN SOUTH BOSTON AND KNOWN AS THE COMMONWEALTH FLATS, WHEN LEASED FOR BUSINESS PURPOSES. Chap. 561

Be it enacted, etc., as follows:

SECTION 1. Section 12 of Part I of chapter 490 of the acts of 1909 is hereby amended by adding at the end the following sentence: — Nothing contained in section three A of chapter fifty-nine of the General Laws shall be construed to affect in any way the provisions of this section.

SECTION 2. To the fullest possible extent this act shall be construed as declaratory of the provisions of sections three A and five of chapter fifty-nine of the General Laws, as appearing in chapter six hundred and sixty-seven of the acts of nineteen hundred and fifty-one.

Approved June 3, 1954.

AN ACT PROVIDING FOR THE INFORMAL ADMINISTRATION OF CERTAIN SMALL ESTATES OF DECEASED PERSONS. Chap. 562

Be it enacted, etc., as follows:

SECTION 1. Chapter 195 of the General Laws is hereby amended by inserting after section 15 the following section: — *Section 16.* If an inhabitant of the commonwealth dies leaving an estate consisting entirely of personal property the total value of which does not exceed five hundred dollars, his surviving spouse, child, parent, brother or sister if of full age and legal capacity and an inhabitant of the commonwealth, may, after the expiration of thirty days from the death of the decedent, provided no petition for letters testamentary or letters of administration has been filed with the probate court of the county in which the decedent resided, file with said probate court upon a form prescribed by the court a statement verified by oath or affirmation containing: (a) the name and residential address of the affiant, (b) the name, residence and date of death of the deceased, (c) the relationship of the affiant to the deceased, (d) a schedule showing every asset of the estate known to the affiant and the estimated value of each such asset, (e) a statement that the affiant has undertaken to act as voluntary administrator of the estate of the deceased and will administer the same according to law and apply the proceeds thereof in conformity with this section and (f) the names and addresses of surviving joint owners of property with the deceased, known to the affiant. The oath required by this section shall not be governed by section one A of chapter two hundred and sixty-eight.

G. L. (Ter. Ed.), 195, new § 16, added.

Informal administration of certain small estates, provided.

Upon presentation of such statement, accompanied by a certificate of the death of the deceased by a public officer and payment of a fee of three dollars or such amount as may be specified in section forty of chapter two hundred and sixty-two, the register of probate shall docket these documents as a part of the permanent records of the court. Upon payment of a fee of one dollar the register shall, and if no other probate proceeding for administration of such estate is pending in said court, issue an attested copy of a statement duly filed under this section.

Upon the presentation of a copy of such a statement duly attested by the register of probate, the tender of a proper receipt in writing and the surrender of any policy, passbook, note, certificate or other evidentiary instrument, a voluntary administrator may, as the legal representative of the deceased and his estate, receive payment of any debt or obligation in the nature of a debt, or delivery of any chattel or asset, scheduled in such statement. Payments and deliveries made under this section shall discharge the liability of the debtor, obligor or deliverer to all persons with respect to such debt, chattel, obligation or other asset unless, at the time of such payment or delivery, a written demand has been made upon said debtor, obligor or deliverer by a duly appointed executor or administrator.

Voluntary
administrator,
duties and
liabilities.

A voluntary administrator may sell any chattel so received and negotiate or assign any chose in action to convert the same to cash in a reasonable amount.

A voluntary administrator shall, as far as possible out of the assets which come into his hands, first discharge the necessary expenses of the funeral and last sickness of the deceased and the necessary expenses of administration without fee for his services, and then pay the debts of the deceased in the order specified in section one of chapter one hundred and ninety-eight and any other debts of the estate, and then distribute the balance, if any, to the surviving spouse, or, if there is no surviving spouse, to the persons and in the proportions prescribed by clauses (1), (2), (3), (4) and (5) of section three of chapter one hundred and ninety.

A voluntary administrator shall be liable as an executor in his own wrong to all persons aggrieved by his administration of the estate, and, if letters testamentary or letters of administration are at any time granted, shall be liable as such an executor to the rightful executor or administrator.

G. L. (Ter.
Ed.), 35,
§ 19B, etc.,
amended.

Payment by
counties of
certain salaries
due upon death
of employees,
regulated.

SECTION 2. Chapter 35 of the General Laws is hereby amended by striking out section 19B, inserted by section 1 of chapter 436 of the acts of 1953, and inserting in place thereof the following section:— *Section 19B.* Whenever any officer or employee or former officer or employee of a county dies, and such county owes his estate any sum or sums by reason of the terms of his employment, the aggregate amount of which does not exceed five hundred dollars, and neither a duly appointed executor or administrator

nor a voluntary administrator has made written demand for payment upon the treasurer of such county and such treasurer does not otherwise have actual notice that proceedings relative to the formal or informal settlement of such estate have been commenced in any probate court, such sum or sums may, in the discretion of such treasurer, be paid after the expiration of one month from the death of such officer or employee to the husband, widow or next of kin of such officer or employee. Payments made as provided in this section shall discharge all liability of the county to all persons with respect to such sum or sums.

SECTION 3. Chapter 41 of the General Laws is hereby amended by striking out section 111I, inserted by section 3 of said chapter 436 of the acts of 1953, and inserting in place thereof the following section:— *Section 111I.* Whenever any officer or employee or former officer or employee of a city or town dies, and such city or town owes his estate any sum or sums by reason of services rendered by him or by reason of section one hundred and eleven E or section one hundred and eleven F or other similar general or special law or by reason of other terms of his employment, the aggregate amount of which does not exceed five hundred dollars, and neither a duly appointed executor or administrator nor a voluntary administrator has made written demand for payment upon the treasurer of such city or town and such treasurer shall not otherwise have actual notice that proceedings relative to the formal or informal settlement of such estate have been commenced in any probate court, such sum or sums may, in the discretion of such treasurer, be paid after the expiration of one month from the death of such officer or employee to the husband, widow or next of kin of such officer or employee. Payments made as provided in this section shall discharge all liability of the city or town to all persons with respect to such sum or sums.

G. L. (Ter. Ed.), 41, § 111I, etc., amended.

Payment by cities and towns in like cases, regulated.

SECTION 4. Chapter 149 of the General Laws is hereby amended by striking out section 178A, as amended by section 4 of said chapter 436 of the acts of 1953, and inserting in place thereof the following section:— *Section 178A.* Wages or salary not in excess of one hundred dollars, due an employee who dies intestate, may be paid by the employer if thirty days have elapsed since the death of the employee and neither a duly appointed executor or administrator nor a voluntary administrator has made written demand upon the employer for payment and the employer shall not otherwise have actual notice that proceedings relative to the formal or informal settlement of the estate of the employee have been commenced in any probate court, to the surviving husband or wife, or to an adult child of the deceased, or, if the employer is satisfied that there is no surviving husband or wife or adult child, to the surviving father or mother of such employee. Such payment shall be a full discharge of all obligations of the employer in respect to

G. L. (Ter. Ed.), 149, § 178A, etc., amended.

Payment by employers in like cases, regulated.

"Employee",
not to include.

such wages or salary. The term "employee", as used in this section, shall not be construed to include an officer or employee of the commonwealth or of any political subdivision thereof.

G. L. (Ter.
Ed.), 149,
§ 178C, etc.,
amended.

Payment by
commonwealth
in like cases,
regulated.

SECTION 5. Said chapter 149 is hereby further amended by striking out section 178C, inserted by section 5 of said chapter 436 of the acts of 1953, and inserting in place thereof the following section: — *Section 178C.* Whenever any officer or employee or former officer or employee of a political subdivision of the commonwealth other than a county, city or town, dies, and such subdivision owes his estate any sum or sums by reason of the terms of his employment, the aggregate amount of which does not exceed five hundred dollars, and neither a duly appointed executor or administrator nor a voluntary administrator has made written demand for payment upon the treasurer of such subdivision, and such treasurer does not otherwise have actual notice that proceedings relative to the formal or informal settlement of such estate have been commenced in any probate court, such sum or sums may, in the discretion of such treasurer, be paid after the expiration of one month from the death of such officer or employee to the husband, widow or next of kin of such officer or employee. Payments made as provided in this section shall discharge all liability of the subdivision to all persons with respect to such sum or sums.

G. L. (Ter.
Ed.), 262, § 40,
etc., amended.

SECTION 6. Section 40 of chapter 262 of the General Laws, as most recently amended by section 4 of chapter 657 of the acts of 1951, is hereby further amended by adding at the end the following two paragraphs: —

Fees.

For filing statement of voluntary administration, three dollars.

For issuance of an attested copy of a statement of voluntary administration, one dollar.

SECTION 7. Section 1 of chapter 162 of the acts of 1951 is hereby amended by striking out, in lines 13 and 14, the words "demand therefor by a duly appointed executor or administrator" and inserting in place thereof the words: — written demand therefor by a duly appointed executor or administrator or by a voluntary administrator, and said commissioner shall not otherwise have actual notice that proceedings relative to the estate of the patient or inmate have been commenced in any probate court.

Applicability
of section one
of this act.

SECTION 8. Section sixteen of chapter one hundred and ninety-five of the General Laws, inserted by section one of this act, shall apply only to the estate of persons dying on or after the effective date of this act.

Approved June 3, 1954.

AN ACT MAKING CERTAIN PERSONS NOW SERVING IN THE ARMED FORCES OF THE UNITED STATES ELIGIBLE TO RECEIVE FROM THE COMMONWEALTH A BONUS FOR SERVICES DURING HOSTILITIES IN KOREA. *Chap. 563*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable certain residents of Massachusetts who are serving in the armed forces of the United States to receive immediately the bonus provided for service during hostilities in Korea, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. *Emergency preamble.*

Be it enacted, etc., as follows:

Section 1 of chapter 440 of the acts of 1953 is hereby amended by adding at the end the following paragraph: —

The benefits of this section are hereby extended to any commissioned officer, warrant officer, or person enlisted for an indefinite enlistment serving in the armed forces of the United States, who was domiciled as provided in this section and who served in the said armed forces in active service for not less than three years subsequent to June twenty-fifth, nineteen hundred and fifty, in any grade or grades, and who is not otherwise entitled to said benefits solely for the reason that he has not received a discharge or release under honorable conditions from such service.

Approved June 7, 1954.

AN ACT RELATIVE TO THE POSITION OF THE DIRECTOR OF SANITARY ENGINEERING AND CHIEF SANITARY ENGINEER IN THE STATE DEPARTMENT OF PUBLIC HEALTH. *Chap. 564*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make the provisions thereof take effect forthwith, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. *Emergency preamble.*

Be it enacted, etc., as follows:

SECTION 1. Section 5A of chapter 17 of the General Laws, inserted by section 2 of chapter 658 of the acts of 1947, is hereby repealed. *G. L. (Ter. Ed.), 17, § 5A, etc., repealed.*

SECTION 2. This act shall not affect the existence of the position of the director of sanitary engineering and chief sanitary engineer nor the tenure of the present incumbent thereof. *Ineffective as to certain positions.*

SECTION 3. This act shall take effect on July first of the current year. *Effective date.*

Approved June 7, 1954.

AN ACT AUTHORIZING THE TOWN OF SWAMPSCOTT TO PAY AN ANNUITY TO THE WIDOW OF WOODBURY L. RODRICK. *Chap. 565*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good and in consideration of the long and efficient service

of Woodbury L. Rodrick, former employee of the highway department of the town of Swampscott, said town may appropriate and pay to Charlotte M. Rodrick, widow of said Woodbury L. Rodrick, so long as she shall remain unmarried, a payment not to exceed twelve hundred dollars annually, the same to be paid in equal monthly installments.

SECTION 2. Any action taken by the town of Swampscott at a meeting held during the current year shall be as valid and effective as though this act were in effect at the time of the posting of the warrant for said meeting.

SECTION 3. This act shall take effect upon its passage.
Approved June 7, 1954.

Chap.566 AN ACT RELATIVE TO THE SALARY RATES OF CERTAIN COUNTY OFFICERS AND EMPLOYEES IN THE VARIOUS COUNTIES EXCEPT SUFFOLK.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further perfect the salary rates of certain officers and employees in the various counties except Suffolk, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 35,
§ 51B, etc.,
amended.

SECTION 1. Section 51B of chapter 35 of the General Laws is hereby amended by striking out the salary schedules, as appearing in section 2 of chapter 743 of the acts of 1951, and inserting in place thereof the following: —

SALARY SCHEDULE.

Effective July 1, 1954.

Salary
schedule.

SALARY GRADE No.	Incre- ment.	RATES (ON TOTAL CASH BASIS).						
		Mini- mum.	Second Year.	Thirld Year.	Fourth Year.	Fifth through Seventh Year.	Eighth through Eleventh Year.	Maxl- mum from Twelfth Year.
1	\$120	\$1,980	\$2,100	\$2,220	\$2,340	\$2,460	\$2,580	\$2,700
2	120	2,040	2,160	2,280	2,400	2,520	2,640	2,760
3	120	2,100	2,220	2,340	2,460	2,580	2,700	2,820
4	120	2,160	2,280	2,400	2,520	2,640	2,760	2,880
5	{ 120	2,220	2,340	2,460	2,580	2,700	2,820	2,940
6	120	2,280	2,400	2,520	2,640	2,760	2,880	3,000
7	120	2,340	2,460	2,580	2,700	2,820	2,940	3,060
8	120	2,400	2,520	2,640	2,760	2,880	3,000	3,120
9	120	2,460	2,580	2,700	2,820	2,940	3,060	3,180
10	120	2,520	2,640	2,760	2,880	3,000	3,120	3,240
11	120	2,580	2,700	2,820	2,940	3,060	3,180	3,300
12	120	2,640	2,760	2,880	3,000	3,120	3,240	3,360
13	120	2,700	2,820	2,940	3,060	3,180	3,300	3,420
14	120	2,760	2,880	3,000	3,120	3,240	3,360	3,480

SALARY SCHEDULE — *Concluded.*
Effective July 1, 1954 — Concluded.

SALARY GRADE NO.	Incre- ment.	RATES (ON TOTAL CASH BASIS).						
		Mini- mum.	Second Year.	Third Year.	Fourth Year.	Fifth through Seventh Year.	Eighth through Eleventh Year.	Maxi- mum from Twelfth Year.
15	\$120	\$2,820	\$2,940	\$3,060	\$3,180	\$3,300	\$3,420	\$3,540
16	120	2,880	3,000	3,120	3,240	3,360	3,480	3,600
17	120	2,940	3,060	3,180	3,300	3,420	3,540	3,660
18	120	3,000	3,120	3,240	3,360	3,480	3,600	3,720
19	120	3,060	3,180	3,300	3,420	3,540	3,660	3,780
20	120	3,120	3,240	3,360	3,480	3,600	3,720	3,840
21	120	3,180	3,300	3,420	3,540	3,660	3,780	3,900
22	120	3,240	3,360	3,480	3,600	3,720	3,840	3,960
23	120	3,300	3,420	3,540	3,660	3,780	3,900	4,020
24	120	3,360	3,480	3,600	3,720	3,840	3,960	4,080
25	120	3,420	3,540	3,660	3,780	3,900	4,020	4,140
26	120	3,480	3,600	3,720	3,840	3,960	4,080	4,200
27	120	3,540	3,660	3,780	3,900	4,020	4,140	4,260
28	120	3,600	3,720	3,840	3,960	4,080	4,200	4,320
29	120	3,660	3,780	3,900	4,020	4,140	4,260	4,380
30	120	3,720	3,840	3,960	4,080	4,200	4,320	4,440
31	180	3,780	3,960	4,140	4,320	4,500	4,680	4,860
32	180	3,840	4,020	4,200	4,380	4,560	4,740	4,920
33	180	3,900	4,080	4,260	4,440	4,620	4,800	4,980
34	180	3,960	4,140	4,320	4,500	4,680	4,860	5,040
35	180	4,020	4,200	4,380	4,560	4,740	4,920	5,100
36	180	4,080	4,260	4,440	4,620	4,800	4,980	5,160
37	180	4,140	4,320	4,500	4,680	4,860	5,040	5,220
38	180	4,200	4,380	4,560	4,740	4,920	5,100	5,280
39	180	4,260	4,440	4,620	4,800	4,980	5,160	5,340
40	180	4,320	4,500	4,680	4,860	5,040	5,220	5,400
41	180	4,380	4,560	4,740	4,920	5,100	5,280	5,460
42	180	4,440	4,620	4,800	4,980	5,160	5,340	5,520
43	180	4,500	4,680	4,860	5,040	5,220	5,400	5,580
44	180	4,560	4,740	4,920	5,100	5,280	5,460	5,640
45	180	4,620	4,800	4,980	5,160	5,340	5,520	5,700
46	180	4,680	4,860	5,040	5,220	5,400	5,580	5,760
47	180	4,740	4,920	5,100	5,280	5,460	5,640	5,820
48	180	4,800	4,980	5,160	5,340	5,520	5,700	5,880
49	240	4,860	5,100	5,340	5,580	5,820	6,060	6,300
50	240	4,980	5,220	5,460	5,700	5,940	6,180	6,420
51	240	5,100	5,340	5,580	5,820	6,060	6,300	6,540
52	240	5,220	5,460	5,700	5,940	6,180	6,420	6,660
53	240	5,340	5,580	5,820	6,060	6,300	6,540	6,780
54	240	5,460	5,700	5,940	6,180	6,420	6,660	6,900
55	240	5,580	5,820	6,060	6,300	6,540	6,780	7,020
56	240	5,700	5,940	6,180	6,420	6,660	6,900	7,140
57	240	5,820	6,060	6,300	6,540	6,780	7,020	7,260
58	300	5,880	6,180	6,480	6,780	7,080	7,380	7,680
59	300	6,180	6,480	6,780	7,080	7,380	7,680	7,980
60	300	6,480	6,780	7,080	7,380	7,680	7,980	8,280
61	300	6,780	7,080	7,380	7,680	7,980	8,280	8,580
62	300	7,080	7,380	7,680	7,980	8,280	8,580	8,880
63	300	7,380	7,680	7,980	8,280	8,580	8,880	9,180
64	300	7,680	7,980	8,280	8,580	8,880	9,180	9,480
65	300	7,980	8,280	8,580	8,880	9,180	9,480	9,780

G. L. (Ter. Ed.), 35, § 51B, etc., amended.

Increments in salary grades.

SECTION 2. Said section 51B of said chapter 35 is hereby further amended by striking out paragraph (2), as appearing in section 1 of chapter 591 of the acts of 1948, and inserting in place thereof the following paragraph: —

(2) Increments in salary grades numbered one to fourteen, inclusive, under the salary schedule shall be semi-annual increases of sixty dollars during the first, second and third year and at the beginning of the fourth year. At the beginning of the fifth, eighth and twelfth years said increments shall be increases of one hundred and twenty dollars each.

Effect of certain promotions on salary grade.

SECTION 3. The salary grade and rate of each officer and employee whose position is classified under sections forty-eight to fifty-five, inclusive, of chapter thirty-five of the General Laws on the effective date of this act shall be the grade and rate to which his position is allocated on said date and in accordance with sections one and two of this act. On the effective date of this act, any person subject to said chapter who has received a promotion since July first, nineteen hundred and forty-eight, and whose rate in his present salary grade as determined under this act would be less because of his most recent promotion to his present grade than the rate to which the person would be entitled if his promotion occurred on July first, nineteen hundred and fifty-four, shall receive the rate which he would have received if his promotion had been deferred until July first, nineteen hundred and fifty-four.

Effective date.

SECTION 4. This act shall take effect July first, nineteen hundred and fifty-four.

Approved June 7, 1954.

Chap. 567 AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE PAROLE BOARD.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make effective at once certain provisions of law relative to the parole board and certain related matters, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 27, § 5A, etc., amended.

Employees and agents of parole board, authorized.

SECTION 1. Chapter 27 of the General Laws is hereby amended by striking out section 5A, as amended by section 1 of chapter 449 of the acts of 1945, and inserting in place thereof the following section: — *Section 5A.* Said board may appoint and remove such employees as its work may require, and may employ such number of male and female agents as may be approved by the governor and council to enable it to carry out its duties under the laws relative to the release of prisoners, their supervision after release and the procurement of employment for them. Said board may assign any of its agents or employees to the penal institutions of the commonwealth in the performance of its

duties. Such agents shall give their entire time during business hours to their duties, and shall be reimbursed for the necessary expenses actually incurred in the performance of their duties, after the bills therefor have been approved by said board.

SECTION 2. Said chapter 27 is hereby further amended by inserting after section 5A the following section: — *Section 5B.* Said board shall have the powers and duties relative to granting permits to be at liberty from penal and reformatory institutions set forth in chapter one hundred and twenty-seven. It shall also be an advisory board of pardons, with powers and duties in relation thereto as set forth in said chapter. Said board shall make an annual report to the commissioner.

G. L. (Ter. Ed.), 27, new § 5B, added.
Powers and duties of parole board.

SECTION 3. Section seven of chapter one hundred and twenty-four of the General Laws, as amended by section forty of chapter four hundred and fifty-one of the acts of nineteen hundred and thirty-nine, is hereby repealed.

G. L. (Ter. Ed.), 124, § 7, etc., repealed.

SECTION 4. Section 129 of chapter 127 of the General Laws, as most recently amended by section 1 of chapter 450 of the acts of 1948, is hereby further amended by striking out the third, fourth and fifth paragraphs and inserting in place thereof the following three paragraphs: —

G. L. (Ter. Ed.), 127, § 129, etc., amended.

If, during the term of imprisonment of a prisoner confined in a state or county institution, such prisoner shall commit any offence of which he shall be convicted and sentenced, or if a prisoner hereafter sentenced is convicted of a felony while on parole, all deductions hereunder from the former sentence of imprisonment of such prisoner shall be thereby forfeited.

Deductions from terms of imprisonment for good conduct, regulated.

If a prisoner sentenced prior to the effective date of this paragraph, while on parole from a state penal institution, violates his parole and is returned to the institution for such violation, the parole board shall determine what part, if any, of any good conduct deduction from sentence or sentences shall be forfeited as a result of such violation, but no deduction from sentence or sentences granted for satisfactory and diligent work shall be so forfeited.

A prisoner in a state penal institution who is entitled to have the term of his imprisonment reduced shall receive from the commissioner of correction a certificate of discharge and shall be released from the prison in which he has been confined, upon the date which has been determined by such deductions from the maximum term of his sentence or sentences, except that any deduction for satisfactory and diligent performance of work shall be determined only for that portion of the sentence or sentences during which he was actually confined. A prisoner in a county penal institution who is entitled to have the term of his imprisonment reduced shall receive from the county commissioners or, in Suffolk county, the penal institutions commissioner of Boston, a certificate of discharge and shall be released from the prison in which he has been confined, upon the date which

Issuance of certificate of discharge.

has been determined by such deduction from the maximum term of his sentence or sentences. A prisoner heretofore or hereafter released on parole from a state penal institution who has faithfully observed all the rules of his parole, and has not been returned to prison for the violation of his parole, shall receive from the parole board a certificate of final discharge and release from further supervision upon the date which has been determined by such deductions from the maximum term of his sentence or sentences, except that any deductions for satisfactory or diligent performance of work shall be determined only for that portion of the sentence or sentences during which he was actually confined; provided, however, that when any person serving a sentence imposed for a violation of section twenty-three of chapter two hundred and sixty-five or for an attempt to commit the crime referred to in said section twenty-three is released in accordance with the provisions hereof, he shall not be given any certificate of discharge hereunder, but shall be released on parole and shall be subject to the provisions of law governing parole until the expiration of the term of imprisonment to which he has been sentenced.

G. L. (Ter. Ed.), 127, § 132, etc., amended.

Further duties of parole board.

SECTION 5. Section 132 of said chapter 127, as amended by section 3 of chapter 543 of the acts of 1946, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:— The parole board shall also be charged with the duty of supervising all prisoners pardoned on parole conditions, and of reporting to the governor violations by any such prisoner of the parole conditions applicable to his pardon.

G. L. (Ter. Ed.), 127, § 135, etc., amended.

Availability of certain records.

SECTION 6. Section 135 of said chapter 127, inserted by section 2 of chapter 690 of the acts of 1941, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— When all such existing available records have been assembled, they shall be made available to the parole board so as to be readily accessible when the parole or pardon of such prisoner is being considered.

G. L. (Ter. Ed.), 127, § 152, etc., amended.

Granting of pardons, regulated.

SECTION 7. Said chapter 127 is hereby further amended by striking out section 152, as most recently amended by chapter 256 of the acts of 1952, and inserting in place thereof the following section:— *Section 152.* In a case in which the governor is authorized by the constitution to grant a pardon, he may, with the advice and consent of the council, and upon the written petition of the prisoner, grant it, subject to such conditions, restrictions and limitations as he considers proper, and he may issue his warrant to all proper officers to carry such pardon into effect. Such warrant shall be obeyed and executed instead of the sentence originally awarded. If a sentence to death is imposed upon a child under seventeen years of age, and if before he reaches the age of seventeen, the governor pardons such child and commits him to the custody of the youth service board, said board shall assume control over him subject to the provisions of sections seventeen to twenty, inclusive, of chapter

one hundred and twenty. Every such petition, in cases where such prisoner was sentenced for a felony, shall, before its presentation to the governor, be filed with the parole board, acting as the advisory board of pardons, together with all statements and signatures appended thereto, and shall thereupon become a public record.

Parole board to act as advisory board of pardons.

The parole board, acting as the advisory board of pardons, shall forthwith, upon receipt of such petition, cause copies thereof, together with copies of all statements and signatures appended thereto, to be delivered or mailed to the attorney general, the district attorney in whose district said sentence was imposed, the chief of police of the municipality where the crime was committed, and the commissioner of correction. Within not less than two weeks and not more than six weeks from the date of said delivery or mailing, the parole board, acting as the advisory board of pardons, shall transmit the original petition, together with all statements and signatures appended thereto, to the governor, together with its written recommendation concerning said petition. The attorney general, district attorney, police chief and the commissioner of correction shall each forthwith, upon receipt of a copy of the said petition from the parole board, acting as the advisory board of pardons, file with the governor and with the parole board, acting as the advisory board of pardons, their respective written recommendations as to whether or not said pardon should be granted. Said recommendations shall be filed with the parole board, acting as the advisory board of pardons, by tendering the same in person or by mailing the same by registered mail, and upon receipt thereof by the parole board, acting as the advisory board of pardons, such recommendations and the petition to which they relate shall thereupon become a matter of public record.

Duties of board upon filing of pardon petition.

Written recommendations of certain persons, required.

A certified copy of the petition, together with copies of all statements and signatures appended thereto, and all such written recommendations, shall forthwith be filed by the parole board, acting as the advisory board of pardons, with, and kept as a permanent record in, the office of the state secretary, and shall be open to public inspection at any reasonable time for a period of ten years from the date of the filing of such papers in the office of the state secretary. The governor, with the advice and consent of the council, may at any time revoke any pardon if he, with such advice and consent, determines that there is a misstatement of a material fact knowingly made at the time of the filing of the written petition of the prisoner, or that such pardon was procured by fraud, concealment or misrepresentation, or that any provision of this section has not been complied with, and upon such revocation the governor may issue his warrant to all proper officers to take the person so pardoned into custody and return him to the institution where he was imprisoned at the time of the granting of the pardon.

Records to be filed in office of state secretary.

Public inspection thereof, etc.

Issuance of governor's warrant upon revocation of pardon.

In the case of any person confined under sentence for a

Public hearings in certain cases, required.

Roll call vote.

felony, no final action or vote shall be taken on such petition until after a public hearing has been held by the council. Such hearing shall be held as soon as practicable after the filing of such petition with the council. Any action taken by the council on such petition shall be taken by a roll call vote of the members present recording their vote as yea or nay. The presence of a quorum and a vote of the majority of all members of the council present shall be necessary for the approval or disapproval of a petition. Within three days after such vote in the council, a certified copy of such roll call shall be filed with the state secretary for public inspection.

Transmittal to general court of certain information.

"Pardon", to include.

G. L. (Ter. Ed.), 127, § 154, etc., amended.

Duties of parole board when acting as advisory board of pardons.

Such warrant shall be obeyed and executed by the officers to whom it is issued, and the person whose pardon has been so revoked shall have the same standing in the penal institution to which he is returned as he would have had if said pardon had not been granted, except that the time during which he has been out of said penal institution upon such pardon shall not be counted in determining the amount of his sentence remaining to be served upon such return to such institution. The governor shall, at the end of each calendar year, transmit to the general court, by filing with the clerk of either branch thereof, a list of pardons granted with the advice and consent of the council during such calendar year, together with the action of the advisory board of pardons concerning each such pardon, and together with a list of any revocations of pardons made under this section. The word "pardon" as used in this section shall be deemed to include any exercise of the pardoning power except a respite from sentence.

SECTION 8. Said chapter 127 is hereby further amended by striking out section 154, as most recently amended by section 4 of chapter 690 of the acts of 1941, and inserting in place thereof the following section: — *Section 154.* The parole board, acting as the advisory board of pardons, shall consider carefully and thoroughly the merits of all petitions for pardon or commutation of sentence filed with it by the governor, except petitions filed under the provisions of section one hundred and fifty-two, and it shall make to the governor a written report containing its conclusions and recommendations, and the conclusions and recommendations of the attorney general, district attorney, commissioner of correction, justice of the district court, and the chief of police of the municipality where the crime was committed, as the case may be. No such report shall be made without the concurrence of a majority of the members of the board. If in the opinion of the board the facts stated in such report are such as to cause undue or unmerited hardship or injury to the petitioner or to other individuals, if made public, the portion of said report containing such facts may be submitted separately from the conclusions and recommendations, and without publicity, but in all cases a statement setting forth the crime or crimes for which a pardon or com-

mutation of sentence is sought, the sentence or sentences received, and the length of time served, together with such statement of the conclusions and recommendations of the board, shall be made public when the report is submitted, and a copy of such statement, signed by each member concurring therein shall be retained in the records of the board and shall be and remain a matter of public record. Before considering any petition for pardon or commutation of sentence, if the conviction of the prisoner was had in the superior court, the parole board, acting as the advisory board of pardons, shall notify the district attorney, who shall report the facts of the case as they appeared at the trial, or, if the conviction was upon a plea of guilty, the facts as he understands them, the names of all witnesses in the case, and his recommendation. If the petitioner is serving a sentence in any penal institution in the commonwealth the attorney general, the commissioner of correction and the chief of police shall also be notified and shall submit to the board their respective recommendations. If the conviction was in a district court the justice thereof shall make to said board a similar report and recommendation. The attorney general, district attorney, justice or the chief of police, as the case may be, shall be notified of any hearing upon the petition for pardon or commutation of sentence, and they or their representatives may be present at the hearing, examine the petitioner's witnesses, and be heard. The said board shall not review the proceedings of the trial court, and shall not consider any questions regarding the correctness, regularity or legality of such proceedings, but shall confine itself solely to matters which properly bear upon the propriety of the extension of clemency to the petitioner. Said board from time to time may make rules relative to the calling of meetings and to the proceedings thereat. The board or any members of it may summon witnesses and administer oaths or affirmations. The fees of witnesses before the board shall be the same as for witnesses in civil actions before the courts, and shall be paid from the appropriation for the expenses of the parole board.

SECTION 9. Said chapter 127 is hereby further amended by striking out section 155, as appearing in the Tercenary Edition, and inserting in place thereof the following section: — *Section 155.* If a prisoner who has been pardoned upon conditions to be observed and performed by him violates such conditions, the parole board shall forthwith cause him to be arrested and detained, and the warden, superintendent or keeper, respectively, of the institution in which the prisoner was confined shall receive said prisoner and cause him to be detained until the case can be examined by the governor and council; and the officer who makes the arrest shall forthwith give written notice thereof to the governor and council.

SECTION 10. In so far as the provisions of this act are the same as the provisions of law in effect immediately prior

G. L. (Ter.
Ed.), 127,
§ 155,
amended.

Arrest and
detention
upon violation
of pardon.

Certain
provisions to
be considered

as confirma-
tory.

to the effective date of this act they shall be construed as confirmations thereof and not as new enactments.

Approved June 7, 1954.

Chap. 568 AN ACT TRANSFERRING CERTAIN POWERS AND DUTIES OF THE PORT OF BOSTON COMMISSION TO THE DEPARTMENT OF PUBLIC WORKS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide in part for the immediate dredging, building of structures and excavating within the port of Boston, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 619 of the acts of 1945 is hereby amended by adding at the end the following paragraph: —

Notwithstanding the foregoing provisions, the department of public works, acting through the division of waterways, may, in accordance with such plans as it may adopt, not in conflict with the purposes and powers of the Port of Boston Commission, excavate and dredge mooring basins for yachts and small craft, dredge channels, construct shore protection, remove wrecks and hulks, issue licenses and permits for filling, dredging, building of structures or excavating within the port of Boston, as such term is defined in section two of said chapter ninety-one A of the General Laws, provided no such license or permit shall be required to be obtained by the Port of Boston Commission. All the rights, powers and duties on the effective date of this act pertaining to the Port of Boston Commission in respect to the excavating and dredging of mooring basins for yachts and small craft, dredging of channels, construction of shore protection, removal of wrecks and hulks, issuing of licenses and permits for filling, dredging, building of structures or excavating to others than the Port of Boston Commission in tidewaters and in lands under water within said port of Boston are hereby transferred to and hereafter shall be vested in and exercised by the department of public works acting through the division of waterways. The said department shall also assume and take over on behalf of the commonwealth any rights, powers and duties of the Port of Boston Commission under any contract heretofore made for the excavating and dredging of mooring basins for yachts and small craft, dredging of channels, construction of shore protection and removal of wrecks and hulks within said port of Boston.

SECTION 2. Section 6 of said chapter 619 is hereby amended by inserting after the word "be", in line 12, the words: — , except that whenever such conduct is related to the excavating and dredging of mooring basins for yachts and small craft, dredging of channels, construction of shore

protection, removal of wrecks and hulks, issuing of licenses and permits for filling, dredging, building structures or excavating, it shall be conditioned, subject to the same procedure of enforcement and penalties, if any, for non-compliance upon like notice or submission to, the knowledge, satisfaction or assent of, the filing with or the granting of a license by the department of public works, as the case may be.

SECTION 3. Section 16 of chapter 91 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "harbor", in line 5 and in line 7, in each instance, the words: — or within the port of Boston as defined by the provisions of section two of chapter ninety-one A.

G. L. (Ter. Ed.), 91, § 16, amended.

SECTION 4. Section eight of chapter ninety-one A of the General Laws is hereby repealed.

G. L. (Ter. Ed.), 91A, § 8, repealed.

SECTION 5. Operations authorized to be undertaken by the department of public works by section one of this act shall not be subject to the provisions of sections thirty A to thirty J, inclusive, of chapter seven of the General Laws.

SECTION 6. Any of the permanent employees of the Port of Boston Commission who are assigned to work to come under the jurisdiction of the department of public works may be transferred to the service of said department, and all such transfers shall be without impairment of their civil service status or of any retirement or other rights to which they may be entitled. All such employees not so transferred shall be transferred to positions in the service of the commonwealth of equal or lower grade, as established by the division of personnel and standardization, regardless of whether or not the title is similar, upon request of the appointing authority of the department to which the employee is to be transferred and with the consent of the employee, such transfer to be without loss of seniority, retirement or other rights.

SECTION 7. The balance remaining in item 8654-25 of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three appropriated for the Port of Boston Commission to carry out the powers and duties which are transferred to the division of waterways in the department of public works by this act shall be immediately available for expenditure for the same purpose, by said division of waterways.

SECTION 8. This act shall take effect on July first of the current year.

Approved June 7, 1954.

AN ACT LIMITING LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES NEAR SCHOOLS AND CHURCHES. *Chap. 569*

Be it enacted, etc., as follows:

SECTION 1. Chapter 138 of the General Laws is hereby amended by inserting after section 16B the following section: — *Section 16C.* Premises, except those of an inn-

G. L. (Ter. Ed.), 138, new § 16C, added.

Sale of alcoholic beverages near schools and churches, limited.

holder, located within five hundred feet, measured along public ways, of a church or school shall not be licensed for the sale of alcoholic beverages; but this provision shall not apply to the transfer of a license from premises located within the said distance to other premises located therein, if it is transferred to a location not less remote from the nearest church or school than its former location.

In this section a church shall mean a church or synagogue building dedicated to divine worship and in regular use for that purpose, but not a chapel occupying a minor portion of a building primarily devoted to other uses, and a school shall mean an elementary or secondary school, public or private, giving not less than the minimum instruction and training required by chapter seventy-one to children of compulsory school age.

Inapplicable to certain premises.

SECTION 2. The provisions of section sixteen C of chapter one hundred and thirty-eight of the General Laws, inserted by section one of this act, shall not apply to premises which, prior to the effective date of this act, or prior to the establishment of a church or school within five hundred feet thereof, were licensed for the sale of alcoholic beverages.

Effective date.

SECTION 3. This act shall take effect on January first, nineteen hundred and fifty-six. *Approved June 7, 1954.*

Chap.570 AN ACT REQUIRING CERTAIN MOTOR VEHICLES TO BE EQUIPPED WITH SUITABLE GUARDS FOR THE REAR WHEELS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 90, § 7, amended.

SECTION 1. The first paragraph of section 7 of chapter 90 of the General Laws is hereby amended by adding at the end the following sentence:—Every motor vehicle or trailer, excepting motor vehicles or trailers owned and operated by the commonwealth or its political subdivisions and passenger motor vehicles, operated in or upon any way shall be equipped with suitable guards which will effectively reduce the spray or splash to the rear of mud, water or slush caused by the rear wheels thereof.

Splash guards on certain motor vehicles, required.

Effective date.

SECTION 2. This act shall take effect on January first, nineteen hundred and fifty-five. *Approved June 7, 1954.*

Chap.571 AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY AND THE CITY OF NORTH ADAMS, ACTING JOINTLY, TO PROVIDE ADEQUATE ACCOMMODATIONS AND FACILITIES FOR COURT AND POLICE PURPOSES IN THE CITY OF NORTH ADAMS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Berkshire county and the city council of North Adams, acting as a joint committee, are hereby authorized and directed to erect and equip a building for the purpose of providing adequate housing accommodations and facilities for the dis-

trict court of northern Berkshire and for police purposes for the city of North Adams, and may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise any land that may be necessary for the purposes of this act. For the purposes of this act, said joint committee is hereby authorized to incur liabilities and to expend a sum not exceeding two hundred thousand dollars, of which sum forty per cent shall be paid by the county and sixty per cent by the city.

SECTION 2. For the purposes set forth in section one, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time, within a period of five years from the passage of this act, upon the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, eighty thousand dollars and may issue bonds or notes of the county therefor which shall bear on their face the words, Berkshire County Court House Loan, Act of 1954. Each authorized issue shall constitute a separate loan, and such loans shall be payable not more than twenty years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws. The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their date, in anticipation of the issue of serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof. Any sums received from the sale of securities held in the post-war rehabilitation fund established by chapter five of the acts of nineteen hundred and forty-three, may be applied towards payments either of the expenditures authorized by section one of this act or of the principal of the bonds or notes hereby authorized.

SECTION 3. For the purpose of meeting its share of the costs as authorized by section one, the city of North Adams may borrow from time to time within a period of five years from the passage of this act, such sums as may be necessary, not exceeding in the aggregate one hundred and twenty thousand dollars and may issue bonds or notes of the city therefor which shall bear on their face the words, North Adams Police Station Loan, Act of 1954. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the

statutory limit and shall, except as approved herein, be subject to chapter forty-four of the General Laws, including the limitation contained in the first paragraph of section seven thereof.

SECTION 4. For the purposes of this act the city treasurer of said city shall act as treasurer of said joint committee and shall hold all funds and make all disbursements necessary to carry out the provisions of this act.

SECTION 5. This act shall take full effect upon its acceptance during the current year by the county commissioners of Berkshire county, and by the city council of North Adams, subject to the provisions of its charter.

Approved June 7, 1954.

Chap. 572 AN ACT RELATIVE TO VALUATION AND APPRAISAL OF PROPERTY IN CONNECTION WITH THE TAXATION OF LEGACIES AND SUCCESSIONS, AND TO APPEALS THEREFROM.

Be it enacted, etc., as follows:

SECTION 1. Chapter 65 of the General Laws is hereby amended by striking out section 25, as most recently amended by section 1 of chapter 494 of the acts of 1939, and inserting in place thereof the following section: — *Section 25.* The value of property upon which a tax under this chapter is to be computed shall be determined by the commissioner. There may be excluded from any determination of value any property on which information satisfactory to the commissioner has not been furnished to him, or any property in which the decedent had a vested interest coming into possession and enjoyment at a future time, and with respect to such excluded property or any part thereof valuation shall be made by the commissioner when satisfactory information is furnished or otherwise becomes available to him, or the property comes into possession and enjoyment, as the case may be. Notice of any determination of value by the commissioner under this section shall be sent by him by registered mail to the persons by whom the tax is payable, and such determination shall be final as to all property valued therein unless the value so determined shall be reduced or altered as provided in this section and in section twenty-six.

At any time within three months after such determination of value, any person aggrieved by such determination may appeal to the appellate tax board. Said board shall appraise such property as has been valued by the commissioner at its value as of the date of death of the decedent, shall give notice of its decision to the commissioner and the appellant, and shall make return thereof to the probate court. Such return, when accepted by the court, shall be final except that any party aggrieved by such appraisal shall have an appeal on matters of law.

SECTION 2. Said chapter 65 is hereby further amended by striking out section 26, as most recently amended by

G. L. (Ter. Ed.), 65, § 25, etc., amended.

Determination of value of certain property of deceased persons for taxation purposes.

Appeal.

G. L. (Ter. Ed.), 65, § 26, etc., amended.

section 89 of chapter 654 of the acts of 1953, and inserting in place thereof the following section:—*Section 26.* At any time within one month after the date of giving of notice of any determination of value by the commissioner under section twenty-five, any person aggrieved by said determination may request the state tax commission to alter such determination. If the commission alters or refuses to alter the commissioner's determination, it shall notify the commissioner in hand and the aggrieved person by mail. Failure of the commission to take action within two months from the receipt by it of such written request shall be deemed a refusal of the commission to alter the commissioner's determination. At any time within two months after the mailing of such notice, or if no action is taken within two months after the time when such request is deemed to be refused, any person aggrieved by such alteration or refusal to alter may appeal to the appellate tax board. Said board shall appraise such property as has been valued by the commissioner at its value as of the date of death of the decedent, shall give notice of its decision to the commission and the appellant, and shall make return thereof to the probate court. Such return, when accepted by the court, shall be final except that any party aggrieved by such appraisal shall have an appeal on matters of law.

Commission may alter determinations of value in certain cases.

In all proceedings before the appellate tax board, or in the probate court under section twenty-five and under this section, the commissioner or the commission, as the case may be, shall receive notice thereof and may be heard.

Approved June 7, 1954.

AN ACT RELATIVE TO OVERTIME SERVICE BY POLICE OFFICERS OF CERTAIN CITIES AND TOWNS.

Chap. 573

Be it enacted, etc., as follows:

SECTION 1. Chapter 41 of the General Laws is hereby amended by striking out section 111H, inserted by chapter 293 of the acts of 1953, and inserting in place thereof the following section:—*Section 111H.* Notwithstanding the provisions of any general or special law to the contrary, any police officer of a city or town who is required to perform any service beyond his regular established hours of service on primary day, on election day, on the thirty-first day of October or at any parade or race or at any public celebration or while police listing, shall be compensated for such additional hours of service at the rate per hour of his regular compensation. This section shall take effect in a city having a Plan E charter when accepted by the affirmative vote of a majority of the city council, and in the case of other cities by vote of the council, subject to the provisions of its charter, and in a town by a majority vote at an annual town meeting. The rate per hour of his regular compensation referred to in this section shall be based on the number of hours worked in an average week.

G. L. (Ter. Ed.), 41, § 111H, etc., amended.

Overtime service by certain police officers, regulated.

SECTION 2. This act shall take effect in a city having a Plan E charter when accepted by the affirmative vote of a majority of the city council, and in the case of other cities by vote of the council, subject to the provisions of its charter, and in a town by a majority vote at an annual town meeting.

Approved June 7, 1954.

Chap.574 AN ACT RELATIVE TO APPEALS TO THE ALCOHOLIC BEVERAGES CONTROL COMMISSION FROM THE ACTIONS OF LOCAL LICENSING AUTHORITIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 138, § 67, etc., amended.

Section 67 of chapter 138 of the General Laws, as most recently amended by chapter 672 of the acts of 1953, is hereby further amended by striking out the last two paragraphs and inserting in place thereof the following three paragraphs: —

Powers and duties of the alcoholic beverages control commission on appeals.

If the local licensing authorities fail to suspend, revoke, cancel or declare forfeited a license or to perform any other disciplinary act when lawfully ordered so to do by the commission upon appeal or otherwise, within such reasonable time as it may prescribe, the commission may itself revoke such license or perform such act, with the same force and effect as if issued or performed by the local licensing authorities, but no license shall be issued by the commission except in ratification of a prior issuance to the same party by the local authorities. In case said local authorities are unwilling to issue a license to any of the applicants before it, then such issuance shall be withheld pending further applications, and no application by the same applicant to be exercised on the same premises shall be received within one year of the date of his last prior application.

Hearings by the commission on appeals as required by the provisions of this section may be held in the discretion of the commission when required by public convenience or shall be held upon written request of twenty-five persons who are taxpayers of the city or town in which the license is intended to be exercised, in the nearest of the following cities or towns to the city or town in which the license is intended to be exercised: — Pittsfield, Greenfield, Springfield, Worcester, Fitchburg, Boston, Barnstable, New Bedford, Brockton, Lowell or Salem.

Upon the receipt of such appeal the commission shall forthwith notify the local licensing authorities thereof by mailing registered mail and said request shall be made within ten days of such mailing.

Approved June 7, 1954.

Chap.575 AN ACT AUTHORIZING THE PORT OF BOSTON COMMISSION TO ENTER INTO A LEASE OF THE ARMY BASE FROM THE UNITED STATES OF AMERICA.

Be it enacted, etc., as follows:

SECTION 1. The Port of Boston Commission is hereby authorized to lease from the United States of America,

upon such terms and conditions as it deems adequate, the entire pier and other areas including part or all of the warehouse facilities and railroad sidings upon the premises located in South Boston and commonly known as the Army Base, together with such easements and rights of way, in common with others entitled to the use thereof, as will provide adequate and ready means of access to the said pier, warehouse facilities and railroad sidings.

SECTION 2. To provide for repair and rehabilitation work of the pier and other facilities to be leased by the authority granted in section one, the cost of at least nine tenths of which is to be borne by the United States of America and the cost of not more than one tenth of which is to be borne by the lessee, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding, in the aggregate, the sum of one million one hundred thousand dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Port of Boston Improvement Loan, 1954 and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and seventy-five.

Approved June 7, 1954.

AN ACT AUTHORIZING THE MERGER OF CERTAIN ASSOCIATIONS OR TRUSTS WITH STREET RAILWAY COMPANIES. *Chap. 576*

Be it enacted, etc., as follows:

Chapter 161 of the General Laws is hereby amended by inserting after section 69, as appearing in the Tercentenary Edition, the following section:— *Section 69A.* An association or trust which owns all of the capital stock of a company may be merged into such company. Such company and such association or trust shall enter into an agreement in writing which shall prescribe the terms of the merger. Such agreement shall be approved by unanimous vote of each class of stock of said company at a meeting called for the purpose and for which notice of meeting is waived. Such agreement shall be approved by affirmative vote by such association or trust in the manner provided in the written

G. L. (Ter. Ed.), 161, new § 69A, added.

Certain mergers involving street railway companies, authorized.

instrument or declaration of trust under which such association or trust was formed or is regulated. Within thirty days after the meeting at which such merger has been voted, articles of amendment setting forth (1) said vote, (2) a copy of the agreement for said merger, and (3) a certificate that all of the stock of the company is owned by the association or trust certified by the president, treasurer and a majority of the directors of the company and by the persons authorized to execute said agreement for the association or trust shall be submitted to the department for approval. Within thirty days after such approval, the documents filed with the department, together with a certified copy of the order of the department approving the proposed merger shall be filed with the state secretary accompanied by a fee of twenty-five dollars. The state secretary shall examine such articles of amendment and, if he finds that they conform to the provisions of the law relative to the merger of companies and associations or trusts, he shall so certify and endorse his approval thereon. No merger shall take effect until the articles of amendment have been filed as aforesaid. Upon the filing of such articles, all of the property, real, personal and mixed of the merged association or trust shall vest in and be held and owned by the company as the same were before held and owned by the merged association or trust.

Approved June 7, 1954.

Duty of state
secretary.

Chap. 577 AN ACT RELATIVE TO THE ADULTERATING, MISBRANDING
AND SALE OF HARMFUL DRUGS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 94,
§ 187, etc.,
amended.

SECTION 1. Section 187 of chapter 94 of the General Laws, as amended by section 2 of chapter 598 of the acts of 1948, is hereby further amended by striking out the paragraph in lines 65 to 67, inclusive, and inserting in place thereof the following paragraph: —

Dispensing
of drugs,
regulated.

The labeling provisions of this section shall not apply to the compounding and dispensing of drugs on the oral or written prescription, as hereinafter defined, of a physician, dentist or veterinarian.

G. L. (Ter.
Ed.), 94,
§ 187, etc.,
further
amended.

SECTION 2. Said section 187 of said chapter 94, as so amended, is hereby further amended by adding at the end the following: —

Definitions.

For the purposes of this section and section one hundred and eighty-seven A, the following terms shall have the following meanings: —

“Oral prescription”, that prescription of a physician, dentist or veterinarian which has been verbally transmitted to a pharmacist by said physician, dentist or veterinarian or his expressly authorized representative and immediately recorded by said pharmacist on a regular prescription form, and which contains the name and address of the prescriber, and the name of the expressly authorized representative, if any, the date of the prescription, the

name and amount of the drug prescribed, the serial number given to the prescription by the pharmacist dispensing the same, the name of the pharmacist receiving the prescription, the name of the patient unless a veterinary prescription, the directions for use and any cautionary statements if stated in the prescription, and the number of times to be refilled.

“Written prescription”, that prescription which has been issued by a physician, dentist or veterinarian and bears the signature and address of the prescriber, the date of the prescription, the name and the amount of the drug prescribed, the name of the patient, directions for use, the number of times to be refilled, and any cautionary statements needed.

“Pharmacist”, a person duly registered under chapter one hundred and twelve and actively engaged as a practitioner or employed in an established and licensed place of business for the sale, compounding and dispensing of drugs.

SECTION 3. Said chapter 94 of the General Laws is hereby further amended by striking out section 187A, inserted by section 3 of said chapter 598, and inserting in place thereof the following section: — *Section 187A.* For the purposes of this section, the term “harmful drug” shall mean and include any and all drugs upon which the manufacturer or distributor has, in compliance with federal law and regulations, placed the following: — “Caution — Federal law prohibits dispensing without prescription.”

G. L. (Ter. Ed.), 94, § 187A, etc., amended.

“Harmful drug”, term defined.

No person shall sell or offer for sale at retail or dispense or give away any harmful drug to any person other than a physician, dentist or veterinarian, except upon oral or written prescription of a physician, dentist or veterinarian or his expressly authorized representative. No such oral or written prescription for a harmful drug shall be refilled unless the original prescription provides for such refilling or unless such refilling is authorized by the prescriber.

Sale of harmful drugs, regulated.

Whenever a physician, dentist or veterinarian prescribes a harmful drug by an oral prescription, the physician, dentist or veterinarian shall within a period of not more than seven days thereafter deliver a written prescription to the pharmacist to whom said oral prescription was transmitted. Any physician, dentist or veterinarian who violates this provision shall be punished by a fine of not more than twenty-five dollars for each violation.

Penalty.

No person shall dispense any drug upon an oral or written prescription in a container which does not bear a label which gives the name and address of the druggist, the serial number of the prescription, the date of the filling of the prescription, the name of the prescriber, the name of the patient unless a veterinary prescription, the directions for use and cautionary statements if any stated in the prescription.

No manufacturer, wholesaler, jobber or dealer in drugs other than a retail pharmacist shall sell or offer for sale a harmful drug unless the container bears a label securely attached thereto stating conspicuously in printed words the

common or usual name of the harmful drug and the quantity or proportion thereof, and no such manufacturer, wholesaler, jobber or dealer in drugs shall sell, offer for sale, or deliver any such harmful drug except to a licensed drug wholesaler, licensed hospital or sanitarium, governmental hospital or sanitarium, licensed clinic, pharmacist, registered physician, dentist or veterinarian, superintendent or official in immediate charge of a college or scientific institution.

A physician, dentist or veterinarian may personally administer any harmful drug at such time and under such circumstances as he, in good faith and in the legitimate practice of medicine, believes to be necessary for the alleviation of pain and suffering or for the treatment or alleviation of disease.

Section not applicable to certain sales.

This section shall not apply to the sale or dispensing of any harmful drug known to be generally used in the treatment of poultry or of animals other than man, either alone or in combination with feeding materials or other ingredients, provided such drug is sold in good faith for the treatment of poultry or animals other than man, and bears a label stating that it is to be used for such purposes only.

Nothing in this section shall be construed to relieve any person from any requirement prescribed by or under authority of any law with respect to narcotic drugs as provided by sections one hundred and ninety-seven to two hundred and seventeen, inclusive.

Penalties.

Except as otherwise provided herein, whoever violates any provision of this section or any rule or regulation authorized hereunder shall be punished by a fine of not more than one thousand dollars, or by imprisonment in jail or house of correction for not more than one year, or both.

Enforcement of act.

The department of public health and the board of registration in pharmacy shall enforce the provisions of this section, and said department and said board, acting jointly, may make such rules and regulations as they deem necessary for the proper enforcement thereof.

Effective date of certain penalty.

SECTION 4. The penalty prescribed in the third paragraph of section one hundred and eighty-seven A of chapter ninety-four of the General Laws, as appearing in section three of this act, for a violation of said paragraph shall not become effective until January first, nineteen hundred and fifty-six.

Approved June 7, 1954.

Chap.578 AN ACT ESTABLISHING A DIVISION ON THE EMPLOYMENT OF THE AGING IN THE DEPARTMENT OF LABOR AND INDUSTRIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 23, § 3, etc., amended.

SECTION 1. Section 3 of chapter 23 of the General Laws is hereby amended by striking out the third sentence, as amended by section 4 of chapter 490 of the acts of 1941, and inserting in place thereof the following sentence: — He

shall organize in the department a division of standards, a division on the necessities of life, a division of occupational hygiene, a division on the employment of the aging under the direct supervision of the assistant commissioner, and such other divisions as he may from time to time determine.

Division on the employment of the aging, established.

SECTION 2. Said chapter 23 is hereby further amended by inserting after section 11L, inserted by section 2 of chapter 707 of the acts of 1941, the following three sections: —

G. L. (Ter. Ed.), 23, new §§ 11M-11O, added.

Section 11M. The commissioner shall establish in the department a council on the employment of the aging consisting of nine members, seven of whom shall be appointed by the commissioner with the approval of the governor and council as follows: — two to represent employees, two to represent employers, two to represent qualified organizations engaged in social work, and one to represent the public, who shall be the chairman. The assistant commissioner of labor and industries, the director of employment security or his authorized representative and the chairman of the Massachusetts commission against discrimination shall be members ex officio. The council, by a majority vote, may designate one of the council members, other than the chairman, as a vice chairman to aid in the absence or inability of the chairman. The term of office of each member of the council shall be three years; provided, however, that of the members first appointed two shall be appointed for a term of one year, two for a term of two years, and three for a term of three years. Any member chosen to fill a vacancy occurring otherwise than by the expiration of his term shall be appointed for the unexpired term of the member whom he succeeds.

Council on the employment of the aging, established.

Membership, terms of office, etc.

Five members of the council shall constitute a quorum. A single vacancy in the council shall not impair the right of the remaining members to exercise all the powers of the commission.

The council shall meet as often as it deems necessary in order to perform its duties, and its members shall receive their traveling and other expenses necessarily incurred in the performance of their duties. The commissioner shall provide for the council suitable quarters and such clerical, secretarial, administrative or other service and assistance as the council may deem necessary.

Section 11N. The council, in co-operation with the assistant commissioner, shall —

Duties of council.

1. Develop through research and education a program to eliminate age as a barrier to employment.

2. Institute a program to encourage employers to hire the aging.

3. Compile for industry a list of jobs for which the aging have been found particularly suitable.

4. Conduct studies on utilization of aging manpower in industry.

5. Develop a sound program for expanding the work of the aging at home and in sheltered workshops.

6. Develop a sound program in the rehabilitation and training of the aging.

7. Develop a sound program for the community employment of the aging.

8. Help to prepare the aging for retirement.

9. Recommend to the general court such legislation as it deems advisable for the employment of the aging.

In the performance of these duties the council shall not be bound by any arbitrary age limit, but shall use its discretion in preparing workers in general against the advance of age.

Duties of
assistant
commissioner
of labor and
industries.

Section 110. The assistant commissioner shall be the administrative head of the division, and shall appoint and remove, subject to the provisions of chapter thirty-one, such employees and technical experts as he deems necessary for the efficient administration of the work of the office. He shall advise and co-operate with employer and employee organizations and with private social work organizations and governmental departments on all matters relating to the rehabilitation and employment of the aging, and shall perform such other duties as may be necessary to carry out the provisions of sections eleven M to eleven O, inclusive.

Approved June 7, 1954.

Chap. 579 AN ACT PROVIDING FOR THE DREDGING AND IMPROVEMENT
BY THE DEPARTMENT OF PUBLIC WORKS OF CERTAIN
BROOKS IN THE TOWNS OF BEDFORD AND LEXINGTON.

Be it enacted, etc., as follows:

SECTION 1. The department of public works is hereby authorized and directed to dredge Elm brook in the town of Bedford and Kiln brook in the towns of Bedford and Lexington, or to make such other improvements as may be necessary to provide for the unobstructed passage of the waters thereof and for the prevention of flowage of lands adjacent thereto. For said purposes, said department may expend such sums as may be appropriated therefor.

SECTION 2. For the purposes of section one of this act, the department of public works may use the unexpended balance of item 2220-27 of section two of chapter eight hundred and six of the acts of nineteen hundred and fifty-one, and item 2220-27 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three; provided, however, that said department shall assume liability for all damages in connection with the Kiln brook project.

SECTION 3. The third paragraph of chapter 29 of the resolves of 1951 is hereby amended by striking out, in lines 3 and 4, the words "and Kiln brook in the towns of Bedford and Lexington", — and by striking out, in line 8, the words "in which the project lies", — so as to read as follows: —

Resolved, That said department, subject to appropriation, is hereby further authorized and directed to dredge Hart-

well brook in the town of Bedford, and to make such other improvements as may be necessary to provide for the unobstructed passage of waters thereof and for the prevention of flowage of lands adjacent thereto, subject to the conditions that the municipality shall have assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws for all damages that may be incurred under said project, and has given to said department of public works satisfactory assurances that conditions imposed upon such municipality with respect to such project shall be met, and to make needed repairs to the stores building, so called, at the State Fish Pier in Gloucester harbor.

Approved June 7, 1954.

AN ACT PROVIDING ADDITIONAL FUNDS TO COVER THE COST OF SEWERAGE WORKS WITHIN THE SOUTH METROPOLITAN SEWERAGE DISTRICT. Chap. 580

Be it enacted, etc., as follows:

SECTION 1. For the purpose of carrying out the construction authorized by chapter five hundred and twenty-seven of the acts of nineteen hundred and fifty-one and chapter six hundred and forty-two of the acts of nineteen hundred and fifty-three, the metropolitan district commission may expend in addition to the amounts authorized by said chapters a sum not exceeding five hundred and fifty thousand dollars.

SECTION 2. To meet the expenditures necessary in carrying out the provisions of this act the state treasurer shall, from time to time, on request of the commission, and subject to the approval of the governor and council issue and sell at public or private sale bonds of the commonwealth registered or with interest coupons attached as he may deem best to an amount not exceeding five hundred and fifty thousand dollars in addition to the amount of such bonds heretofore authorized by said chapter five hundred and twenty-seven of the acts of nineteen hundred and fifty-one and chapter six hundred and forty-two of the acts of nineteen hundred and fifty-three. Such bonds shall be designated on the face, Metropolitan District Sewerage Loan, Act of 1954, shall be on the serial payment plan and shall be issued for such maximum term of years not exceeding thirty years from the date of issue as may be recommended by the governor in accordance with section 3 of Article LXII of the Amendments to the constitution of the commonwealth, and shall bear interest at such rate as shall be fixed by the state treasurer with the approval of the governor.

SECTION 3. The interest and serial bond requirements on account of the moneys expended for the south metropolitan sewerage system provided for under this act and the cost of maintenance and operation thereof and such other expenses as may be authorized hereunder shall be deemed

to be, and shall be paid as, a part of the interest, sinking fund or serial bond requirements and costs specified in chapter four hundred and thirty-nine of the acts of eighteen hundred and eighty-nine and acts in amendment thereof and in addition thereto and affecting the same, and shall be apportioned, assessed and collected in the manner provided by the provisions of chapter ninety-two of the General Laws, relative to such system. *Approved June 7, 1954.*

Chap. 581 AN ACT ABOLISHING THE COMMISSION ON ALCOHOLISM AND TRANSFERRING ITS POWERS AND DUTIES TO THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 6, § 17, etc., amended.

SECTION 1. Section 17 of chapter 6 of the General Laws is hereby amended by striking out, in line 14, as appearing in section 1 of chapter 608 of the acts of 1953, the words “, the commission on alcoholism”.

G. L. (Ter. Ed.), 6, § 63, etc., repealed.

SECTION 2. Section sixty-three of said chapter six, inserted by section two of chapter five hundred and thirteen of the acts of nineteen hundred and forty-seven, is hereby repealed, and the heading preceding said section is hereby stricken out.

G. L. (Ter. Ed.), 111, § 4A, etc., amended.

Department of public health to study problem of alcoholism.

SECTION 3. The first paragraph of section 4A of chapter 111 of the General Laws, as appearing in chapter 800 of the acts of 1950, is hereby amended by adding at the end the following two sentences:— The department may require of any department, commission, board or officer of the commonwealth which has or can obtain information regarding methods for treating alcoholism and regarding other factors relating to the problem of alcoholism in the commonwealth, such assistance as may be helpful to it. The department shall report annually to the general court and the governor its findings and recommendations regarding such problem.

Transfer of personnel.

SECTION 4. The secretary of the commission on alcoholism holding office immediately prior to the effective date of this act, and any other person then employed on a full-time basis by the said commission, are each hereby transferred to the service of the department of public health without reduction in salary, impairment of status or loss of seniority, retirement or other rights.

Expenditure of certain sums, permitted.

SECTION 5. Funds available for expenditure by the commission on alcoholism shall be available on the effective date of this act for expenditure by the department of public health for the purposes of this act.

Approved June 7, 1954.

Chap. 582 AN ACT AUTHORIZING THE COURT TO WAIVE THE PAYMENT BY DESTITUTE PERSONS OF CERTAIN ENTRY FEES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 262, § 4, etc., amended.

The sixth paragraph of section 4 of chapter 262 of the General Laws, as most recently amended by chapter 632 of

the acts of 1953, is hereby further amended by adding at the end the following: — ; provided, however, that the court may, if it finds that the entering party is destitute and unable to pay, order the payment of such entry fee to be waived.

Approved June 7, 1954.

Waiver of entry fee in certain cases, authorized.

AN ACT AUTHORIZING THE CITY OF LOWELL TO PROVIDE BOARD, LODGING AND INCIDENTALS FOR ITS ATHLETIC TEAMS, COACHES AND SUPERVISORS WHEN SUCH TEAMS ARE ENGAGED IN CONTESTS WITHOUT THE COMMONWEALTH.

Chap. 583

Be it enacted, etc., as follows:

The city of Lowell is hereby authorized to raise and appropriate money for the purpose of providing board, lodging and incidentals for its public school athletic teams, coaches and supervisors when such athletic teams are engaged in contests without the commonwealth. Such sums shall be expended under the supervision of the school department.

Approved June 7, 1954.

AN ACT INCREASING THE PENALTY FOR PROMOTING ANARCHY AND FOR DESTROYING RECORDS OF SUBVERSIVE ORGANIZATIONS.

Chap. 584

Be it enacted, etc., as follows:

SECTION 1. Chapter 264 of the General Laws is hereby amended by striking out section 11, as amended by section 1 of chapter 160 of the acts of 1948, and inserting in place thereof the following section: — *Section 11.* Whoever by speech or by exhibition, distribution or promulgation of any written or printed document, paper or pictorial representation advocates, advises, counsels or incites assault upon any public official, or the killing of any person, or the unlawful destruction of real or personal property, or the overthrow by force or violence or other unlawful means of the government of the commonwealth or of the United States, shall be punished by imprisonment in the state prison for not more than three years, or in jail for not more than two and one half years, or by a fine of not more than one thousand dollars; provided, that this section shall not be construed as reducing the penalty now imposed for the violation of any law. It shall be unlawful for any person who shall have been convicted of a violation of this section, whether or not any sentence shall have been imposed, to perform the duties of a teacher or of an officer of administration in any public or private educational institution, and the superior court, in a suit by the commonwealth, shall have jurisdiction in equity to restrain and enjoin any such person from performing such duties thereafter; provided, that any such restraining order or injunction shall be forthwith vacated if such conviction shall be set aside.

G. L. (Ter. Ed.), 264, § 11, etc., amended.

Penalty for promotion of anarchy, established.

G. L. (Ter. Ed.), 264, § 12, repealed.

SECTION 2. Section twelve of said chapter two hundred and sixty-four, as appearing in the Tercentenary Edition, is hereby repealed.

G. L. (Ter. Ed.), 264, § 21, etc., amended.

Penalty for destruction or concealment of certain books, etc., increased.

SECTION 3. Said chapter 264 is hereby further amended by striking out section 21, inserted by section 3 of chapter 805 of the acts of 1951, and inserting in place thereof the following section:— *Section 21.* Whoever destroys or conceals books, records, files, membership lists or funds belonging to an organization which he knows to be a subversive organization shall be punished by imprisonment in the state prison for not more than three years or in jail for not more than two and one half years or by a fine of not more than one thousand dollars; provided, that this section shall not be construed as reducing the penalty now imposed for the violation of any law.

G. L. (Ter. Ed.), 264, § 19, etc., amended.

Penalty for membership in subversive organization, increased.

SECTION 4. Said chapter 264 is hereby further amended by striking out section 19, as so inserted, and inserting in place thereof the following section:— *Section 19.* Any person who becomes or remains a member of any organization knowing it to be a subversive organization shall be punished by imprisonment in the state prison for not more than three years or in jail for not more than two and one half years or by a fine of not more than one thousand dollars, provided that this section shall not be construed as reducing the penalty now imposed for the violation of any law.

G. L. (Ter. Ed.), 264, § 23, etc., amended.

Penalty for financial contribution, increased.

SECTION 5. Said chapter 264 is hereby further amended by striking out section 23, as so inserted, and inserting in place thereof the following section:— *Section 23.* Whoever contributes money or any other property having a value in money to an organization which he knows to be a subversive organization shall be punished by imprisonment in the state prison for not more than three years or in jail for not more than two and one half years or by a fine of not more than one thousand dollars.

Approved June 7, 1954.

Chap. 585 AN ACT PROVIDING FOR THE SALE BY GARAGE OWNERS OF CERTAIN MOTOR VEHICLES PLACED FOR STORAGE AND NOT CLAIMED WITHIN A CERTAIN PERIOD.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 255, new § 39A, added.

Sale of certain motor vehicles placed for storage, regulated.

Chapter 255 of the General Laws is hereby amended by inserting after section 39 the following section:— *Section 39A.* Any motor vehicle removed from the scene of an accident and placed for storage in the care of a garage, which in this section shall also include a parking lot or other place for the storage of motor vehicles, by a member of the state police force, by a member of the police force of any city or town or by any inspector, supervisor, investigator, examiner or instructor appointed by the registrar of motor vehicles under section twenty-nine of chapter ninety, shall be so stored at the prevailing rates. At the time such motor vehicle is so placed the officer or person placing it shall furnish the owner or operator of such garage the name and

address of the registered owner of said motor vehicle; and if such information is not then available, said officer or person shall obtain such information and forthwith notify in writing the said owner or operator.

Upon receipt of such information the owner of the garage shall notify the registered owner of the motor vehicle by registered mail, return receipt requested, that such motor vehicle has been placed in his care as provided by this section, and shall inform him of the storage rates therefor, and shall inquire if he is to continue to hold the motor vehicle subject to such storage rates.

If the registered owner of the motor vehicle assents to the continued storage of such motor vehicle, the owner of the garage shall continue to hold said motor vehicle in storage and shall have a lien thereon, as provided in section twenty-five.

Lien for storage, when established.

If the registered owner of the motor vehicle fails to answer said notice within twenty-one days after receipt thereof, the motor vehicle shall continue to be stored at the prevailing rates.

If, within six months after the expiration of said twenty-one days, the registered owner of the motor vehicle has not claimed said vehicle, the owner of said garage shall again notify said registered owner by registered mail, return receipt requested, that unless he receives payment within twenty-one days of his charges for storing said motor vehicle, he shall proceed to sell said motor vehicle. If the registered owner of said motor vehicle does not pay said charges within twenty-one days of said notice, the owner of the garage may sell such motor vehicle at public or private sale. Upon such sale the owner of the garage may deduct therefrom his charges for storage and the costs of sending notices and of holding the sale, and shall furnish the registered owner of such motor vehicle a statement of the amount received at such sale, together with the amount of his charges and costs, and the balance, if any. If the owner of the garage knows the address of the registered owner of said motor vehicle he shall pay such balance to him; if not, he shall deposit the same with the clerk of the district court who shall give him a receipt therefor and deposit said balance in a savings bank in the name of the justice of the district court in trust for said owner of the motor vehicle.

Approved June 7, 1954.

AN ACT REQUIRING THE CITY OF NORTH ADAMS TO REPAY TO CERTAIN MEMBERS OF ITS POLICE DEPARTMENT THEIR CONTRIBUTIONS TO THE CONTRIBUTORY RETIREMENT SYSTEM OF SAID CITY, AND ESTABLISHING THEIR RETIREMENT RIGHTS. *Chap. 586*

Be it enacted, etc., as follows:

SECTION 1. The retirement board of the city of North Adams is hereby authorized and directed to repay to George

Garner, William Garner, John M. McConnell and Francis C. Anderson, all permanent policemen of said city, all deductions withheld from their wages as such policemen on account of membership in the contributory retirement system, together with accumulated interest thereon, and the names of said policemen shall be stricken from the rolls of the retirement board of said city as members of said retirement system. Each of the said policemen shall be entitled to the benefits of pension or retirement allowances provided for under sections eighty to eighty-five F, inclusive, of chapter thirty-two of the General Laws.

SECTION 2. Nothing in this act shall affect any retirement rights which any policeman mentioned in section one may have under the law relating to the retirement of veterans in the public service.

SECTION 3. This act shall take effect upon its acceptance by the city council of North Adams, subject to the provisions of its charter, but not otherwise.

Approved June 7, 1954.

Chap.587 AN ACT RELATIVE TO THE CIVIL SERVICE STATUS OF CERTAIN PERSONS NOW HOLDING ON A TEMPORARY BASIS OTHER POSITIONS IN THE DIVISION OF EMPLOYMENT SECURITY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, Edward A. Bouthillette, Thomas P. Dolan, Grace S. LaBonte, Beatrice W. Lyman, John T. Manning, Iris Marshall, Benjamin Maslowski, William J. McKay, Francis J. Tynan and Arvo W. Sipila, who were employed on a permanent basis in the position of principal interviewer with bonus, in the division of employment security, when they were temporarily transferred to other positions in the division of employment security, shall, unless subsequently permanently appointed or promoted to other positions, continue to hold the said status of principal interviewer with bonus, which they held prior to said temporary transfer. All time served on a temporary transfer basis shall be carried as creditable service in respect to retirement, civil service and other rights, and without impairment of any rights held by said persons in the position of principal interviewer with bonus.

Approved June 7, 1954.

Chap.588 AN ACT RELATIVE TO THE AWARDING OF CERTAIN CONTRACTS BY THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

Section 40 of chapter 280 of the acts of 1932 is hereby amended by striking out, in line 4, the words "three hundred" and inserting in place thereof the words:— one thousand,— so as to read as follows:— *Section 40.* No contract for construction work or for the purchase of appa-

ratus, supplies or materials, whether for repairs or original construction, the estimated cost of which amounts to one thousand dollars or more, except in cases of special emergency involving the health and/or safety of the people or their property, shall be awarded unless proposals for the same have been invited by the officer in charge of the undertaking, by advertisement in a newspaper published in the city once a week for at least two consecutive weeks, the last publication to be at least one week before the time specified for the opening of said proposals. Such advertisement shall state the time and place where plans and specifications of proposed work or apparatus, supplies, or materials, may be had, and the time and place for opening the proposals in answer to said advertisement and shall reserve to the city the right to reject any or all of such proposals. All such proposals shall be opened in public. No bill or contract shall be split or divided for the purpose of evading any provision of this act.

Approved June 7, 1954.

AN ACT RATIFYING A PROPOSED COMPACT BETWEEN THE COMMONWEALTH AND CERTAIN OTHER STATES PROVIDING FOR THE ESTABLISHMENT OF THE NEW ENGLAND BOARD OF HIGHER EDUCATION.

Chap. 589

Be it enacted, etc., as follows:

SECTION 1. *Whereas*, The several New England states co-operatively deem it feasible to provide needed, acceptable, efficient, educational facilities to meet the needs of New England in the fields of medicine, dentistry, veterinary medicine, and other fields of technical, professional and graduate training;

Now, therefore, the Governor, on behalf of this Commonwealth, is hereby authorized to enter into a compact, substantially in the following form, with any one or more of the states of Connecticut, Maine, New Hampshire, Rhode Island and Vermont, and the general court hereby signifies in advance its approval and ratification of such a compact so entered into, such approval and ratification to be effective upon the filing of a copy of such compact in the office of the state secretary.

NEW ENGLAND HIGHER EDUCATION COMPACT.

Article I.

The purposes of the New England Higher Education Compact shall be to provide greater educational opportunities and services through the establishment and maintenance of a co-ordinated educational program for the persons residing in the several states of New England parties to this compact, with the aim of furthering higher education in the fields of medicine, dentistry, veterinary medicine, public health and in professional, technical, scientific, literary and other fields.

Article II.

There is hereby created and established a New England board of higher education hereinafter known as the board, which shall be an agency of each state party to the compact. The board shall be a body corporate and politic, having the powers, duties and jurisdiction herein enumerated and such other and additional powers as shall be conferred upon it by the concurrent act or acts of the compacting states. The board shall consist of three resident members from each compacting state, chosen in the manner and for the terms provided by law of the several states parties to this compact.

Article III.

This compact shall become operative immediately as to those states executing it whenever any two or more of the states of Maine, Vermont, New Hampshire, Massachusetts, Rhode Island and Connecticut have executed it in the form which is in accordance with the laws of the respective compacting states.

Article IV.

The board shall annually elect from its members a chairman and vice-chairman and shall appoint and at its pleasure remove or discharge said officers. It may appoint and employ an executive secretary and may employ such stenographic, clerical, technical or legal personnel as shall be necessary, and at its pleasure remove or discharge such personnel. It shall adopt a seal and suitable by-laws and shall promulgate any and all rules and regulations which may be necessary for the conduct of its business. It may maintain an office or offices within the territory of the compacting states and may meet at any time or place. Meetings shall be held at least twice each year. A majority of the members shall constitute a quorum for the transaction of business, but no action of the board imposing any obligation on any compacting state shall be binding unless a majority of the members from such compacting state shall have voted in favor thereof. Where meetings are planned to discuss matters relevant to problems of education affecting only certain of the compacting states, the board may vote to authorize special meetings of the board members of such states. The board shall keep accurate accounts of all receipts and disbursements and shall make an annual report to the governor and the legislature of each compacting state, setting forth in detail the operations and transactions conducted by it pursuant to this compact, and shall make recommendations for any legislative action deemed by it advisable, including amendments to the statutes of the compacting states which may be necessary to carry out the intent and purpose of this compact. The board shall not pledge the credit of any compacting state without the consent of the legislature thereof given pursuant to the consti-

tutional processes of said state. The board may meet any of its obligations in whole or in part with funds available to it under Article VII of this compact; provided, that the board takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the board makes use of funds available to it under Article VII hereof, the board shall not incur any obligations for salaries, office, administrative, traveling or other expenses prior to the allotment of funds by the compacting states adequate to meet the same. Each compacting state reserves the right to provide hereafter by law for the examination and audit of the accounts of the board. The board shall appoint a treasurer who may be a member of the board, and disbursements by the board shall be valid only when authorized by the board and when vouchers therefor have been signed by the executive secretary and countersigned by the treasurer. The executive secretary shall be custodian of the records of the board with authority to attest to and certify such records or copies thereof.

Article V.

The board shall have the power to: (1) collect, correlate, and evaluate data in the fields of its interest under this compact; to publish reports, bulletins and other documents making available the results of its research; and, in its discretion, to charge fees for said reports, bulletins and documents; (2) enter into such contractual agreements or arrangements with any of the compacting states or agencies thereof and with educational institutions and agencies as may be required in the judgment of the board to provide adequate services and facilities in educational fields covered by this compact; provided, that it shall be the policy of the board in the negotiation of its agreements to serve increased numbers of students from the compacting states through arrangements with then existing institutions, whenever in the judgment of the board adequate service can be so secured in the New England region. Each of the compacting states shall contribute funds to carry out the contracts of the board on the basis of the number of students from such state for whom the board may contract. Contributions shall be at the rate determined by the board in each educational field. Except in those instances where the board by specific action allocates funds available to it under Article VII hereof, the board's authority to enter into such contracts shall be only upon appropriation of funds by the compacting states. Any contract entered into shall be in accordance with rules and regulations promulgated by the board and in accordance with the laws of the compacting states.

Article VI.

Each state agrees that, when authorized by the legislature pursuant to the constitutional processes, it will from time to

time make available to the board such funds as may be required for the expenses of the board as authorized under the terms of this compact. The contribution of each state for this purpose shall be in the proportion that its population bears to the total combined population of the states who are parties hereto as shown from time to time by the most recent official published report of the Bureau of the Census of the United States of America, unless the board shall adopt another basis in making its recommendation for appropriation to the compacting states.

Article VII.

The board for the purposes of this compact is hereby empowered to receive grants, devise, gifts and bequests which the board may agree to accept and administer. The board shall administer property held in accordance with special trusts, grants and bequests, and shall also administer grants and devise of land and gifts or bequests of personal property made to the board for special uses, and shall execute said trusts, investing the proceeds thereof in notes or bonds secured by sufficient mortgages or other securities.

Article VIII.

The provisions of this compact shall be severable, and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the Constitution of any compacting state or of the United States the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby; provided, that if this compact is held to be contrary to the constitution of any compacting state the compact shall remain in full force and effect as to all other compacting states.

Article IX.

This compact shall continue in force and remain binding upon a compacting state until the legislature or the governor of such state, as the laws of such state shall provide, takes action to withdraw therefrom. Such action shall not be effective until two years after notice thereof has been sent by the governor of the state desiring to withdraw to the governors of all other states then parties to the compact. Such withdrawal shall not relieve the withdrawing state from its obligations accruing hereunder prior to the effective date of withdrawal. Any state so withdrawing, unless reinstated, shall cease to have any claim to or ownership of any of the property held by or vested in the board or to any of the funds of the board held under the terms of the compact. Thereafter, the withdrawing state may be reinstated by application after appropriate legislation is enacted by such state, upon approval by a majority vote of the board.

Article X.

If any compacting state shall at any time default in the performance of any of its obligations assumed or imposed in accordance with the provisions of this compact, all rights and privileges and benefits conferred by this compact or agreement hereunder shall be suspended from the effective date of such default as fixed by the board. Unless such default shall be remedied within a period of two years following the effective date of such default, this compact may be terminated with respect to such defaulting state by affirmative vote of three fourths of the other member states. Any such defaulting state may be reinstated by (a) performing all acts and obligations upon which it has heretofore defaulted, and (b) application to and approval by a majority vote of the board.

SECTION 2. When the governor shall have executed said compact on behalf of this state, and shall have caused a verified copy thereof to be filed with the state secretary, and when said compact shall have been ratified by one or more of the states named in section one of this act, then said compact shall become operative and effective as between this state and such other state or states. The governor is hereby authorized and directed to take such action as may be necessary to complete the exchange and filing of official documents as between this state and any other state ratifying said compact, and to take such steps as may be necessary to secure the consent of the Congress of the United States to the compact.

SECTION 3. After the aforesaid compact shall become effective and operative, the governor, with the advice and consent of the council, shall designate or appoint three members who shall represent the commonwealth as members of the board. The terms of appointees shall originally be so arranged as to expire every two years, the longest term to be six years. Thereafter appointments of such members shall be for terms of six years. Vacancies shall be filled for the remainder of unexpired terms, in the same manner as original appointments are made.

SECTION 4. Each member designated or appointed by the governor who, while such member, holds no salaried state office, shall be paid by the commonwealth as compensation the sum of thirty dollars for each day's service performed in connection with his duties as such member, but not to exceed two thousand dollars in any fiscal year. Such compensation shall be paid by the state treasurer not oftener than once in two weeks, upon bills approved by the chairman or vice-chairman and the secretary of the board. All members shall be entitled to their actual expenses incurred in the performance of their duties as such.

SECTION 5. The board on the part of the commonwealth shall obtain accurate accounts of all the board's receipts and disbursements and shall report to the governor and the

budget commissioner annually on or before the fifteenth day of September, setting forth in such detail as the budget commissioner may require the transactions of the board for the fiscal year ending on the preceding June thirtieth. They shall include in such report recommendations for any legislation to the commonwealth as may be necessary or desirable to carry out the intent and purposes of the New England Higher Education Compact among the states joining therein.

Approved June 7, 1954.

Chap. 590 AN ACT REVISING THE MILITARY LAWS OF THE COMMONWEALTH.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which, in part, is to make immediately available certain services of the armed forces of the commonwealth, and to prepare for the annual service training program, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 33,
stricken out,
new chapter
33, inserted.

SECTION 1. The General Laws are hereby amended by striking out chapter 33 and inserting in place thereof the following chapter: —

CHAPTER 33.

MILITIA.

I. DEFINITIONS.

Definitions.

Section 1. Words used in this chapter shall have the following meanings, unless a different meaning is clearly apparent from the language or context: —

“Military forces of the commonwealth” shall include the organized militia as defined in section four, and members of the unorganized militia when drafted or accepted as volunteers under sections fifty-five and fifty-six.

“Enlisted person”, a member, other than a commissioned officer or a warrant officer, in the military forces of the commonwealth.

“Officer”, a commissioned officer or a warrant officer in the military forces of the commonwealth.

“Organization”, a command composed of two or more units.

“Unit” shall include headquarters, detachment, company, battery, troop, and equivalent air unit, and such other elements as may be determined by the commander-in-chief to come under such designation.

“Military custodian”, the senior military officer in command of troops stationed in an armory or air installation unless otherwise designated by the commander-in-chief.

II. ORGANIZATION.

Section 2. The militia of the commonwealth shall consist of all able-bodied male citizens and all other able-bodied males who have declared their intention to become citizens of the United States, between the ages of seventeen and forty-five, and who are residents of the commonwealth, and of such other persons, male and female, as may, upon their own application, be enlisted or commissioned therein pursuant to any provision of this chapter, subject, however, to such exemptions as are now, or may be hereafter, created by law.

Persons
enrolled in
militia.

Section 3. The militia shall consist of two classes, namely, the organized militia, composed and organized as provided in this chapter, and the remainder, to be known as the unorganized militia. The unorganized militia shall not be subject to duty except in case of war, actual or threatened, invasion, the prevention of invasion, the suppression of riots, and the assisting of civil officers in the execution of the laws.

Militia,
organized and
unorganized.

Section 4. The active or organized militia shall be composed of volunteers, and shall comprise the aides-de-camp of the commander-in-chief, the state staff, the armed forces of the commonwealth as defined in section ten, the retired list and a special quartermaster detachment of enlisted personnel duly appointed as armorers in the various armories or air installations of the commonwealth.

Composition
of active
militia.

The organized militia shall constitute the military division of the executive branch of the government of the commonwealth.

Section 5. The commander-in-chief may make and publish regulations for the government of the organized militia in accordance with law.

Power of
commander-
in-chief.

Section 6. The commander-in-chief may raise volunteer units when they are needed to maintain the military forces of the commonwealth at the strength and of the composition required or permitted by law.

May raise
volunteer
companies.

Section 7. The commander-in-chief may from time to time prescribe in orders the organization of the military forces of the commonwealth, the designation and location of all units, and the numbers, titles, grades and duties of all officers and enlisted persons as he deems the interest of the service demands: provided, that the organization shall not conflict with the laws of the United States relating to the armed forces.

Organization,
etc., power to
prescribe.

Section 8. The commander-in-chief may, to recruit the organized militia, appoint provisional officers for such units as he may from time to time create by orders in accordance with this chapter. Such provisional officers, subject to removal by the commander-in-chief and until their successors are qualified as provided by the constitution and laws of the commonwealth, shall exercise the same military authority over their several commands as is specified in the said laws for duly qualified officers of the organized militia.

Appointment
of provisional
officers.

May disband
certain units.

Section 9. The commander-in-chief may, subject to the laws of the United States, disband any unit of the organized militia falling below the prescribed strength or standard of efficiency.

Composition
of armed
forces of
commonwealth.

Section 10. The armed forces of the commonwealth shall consist of the active national guard, army and air, and the inactive national guard, army and air. The commander-in-chief may from time to time prescribe, whenever necessary, a state guard or similar organization composed as permitted by law.

Composition
of national
guard, army
or air.

Section 11. The national guard, army or air, shall consist of such organizations and units as the commander-in-chief may from time to time authorize to be formed, all to be organized in accordance with the laws of the United States affecting the national guard, army and air, and the regulations issued by the appropriate secretary of the department of defense.

Discrimination
forbidden.

Section 12. No person shall be denied the enjoyment of any military right, or be discriminated against in the exercise of any military right, or be segregated in the military forces of the commonwealth, because of race, color or national origin.

Penalty for
obstructing
service with
militia.

Section 13. Whoever wilfully deprives an officer or enlisted person of his employment, or denies him employment, or prevents his being employed by another, or obstructs or annoys him or his employer in respect of his trade, business or employment, because of his connection with the armed forces of the commonwealth, or because of his necessary absence from business in performance of his duty as such, and whoever dissuades any person from enlisting in the said armed forces of the commonwealth by threat of injury to him in respect of his employment, trade or business, or of other injury, if he shall so enlist, shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than six months, or both.

Aides-de-
camp.

Section 14. The aides-de-camp of the commander-in-chief shall consist of such appointed or detailed aides as the governor shall deem necessary. Officers detailed under this section shall not be relieved from their ordinary national guard, army or air duties.

The aides-de-camp shall be commissioned and hold office until their successors are qualified. They may be removed at any time by the commander-in-chief.

No person shall be eligible to appointment as such aide-de-camp unless the individual so appointed shall have served at least two years in the armed services of the United States in time of war or national emergency, or the organized militia of the commonwealth.

The commander-in-chief shall prescribe by directive, the uniform of such appointed aides-de-camp.

State staff,
appointment,
composition,
etc.

Section 15. (a) The state staff shall consist of one adjutant general, with the grade of major general, who shall be the chief of staff to the commander-in-chief and the chief

of the state staff, and the officers provided for in this section, each of whom shall perform his duties under the direction of the adjutant general. To be eligible for initial appointment on the state staff, an officer shall have federal recognition in an organization or unit of the Massachusetts national guard, army or air. He shall thereafter hold his position until he reaches the age of sixty-five years unless separated prior to that time by resignation, disability, or for cause by a court-martial legally convened for that purpose.

(b) The adjutant general shall be appointed from those persons who are, or have been, active commissioned officers in the Massachusetts national guard, army or air, for a period of not less than five years and who have attained, while serving therein, or in the national guard of the United States, a grade not lower than that of lieutenant colonel. He shall hold office for a term of six years and shall receive the same pay as an officer of the regular service of corresponding grade with corresponding length of service.

Adjutant
general.

He shall be charged with carrying out the policies of the commander-in-chief and shall issue orders in his name, but he shall not personally exercise command of troops in his capacity as adjutant general.

Powers and
duties.

He shall be the immediate adviser of the commander-in-chief on all matters relating to the militia and shall be charged with the planning, development and execution of the program of the military forces of the commonwealth. He shall cause the state staff to prepare plans for recruiting, organizing, supplying, equipping and mobilizing the organized militia, for use in the national defense, for state defense and emergencies, and for demobilizing the militia.

He shall hold major organization commanders responsible for the proper training of their commands, and all orders and instructions for the government of the militia and of the officers and enlisted persons therein shall be issued and communicated to those concerned through military channels.

He shall make such returns and reports as may be prescribed by the commander-in-chief or required by the laws or regulations of the commonwealth or of the United States, and may detail such officers of appropriate grade and employ such clerks and other assistants as may be necessary in his division at an expense not exceeding the amount appropriated therefor.

Except in those cases where by law or regulation specific powers are conferred on the adjutant general as such, he shall have no authority independently of the commander-in-chief, from whom his orders shall be considered as emanating, and the acts of the adjutant general shall be regarded as in execution of the orders of the commander-in-chief.

Under the control of the governor, in his capacity as commander-in-chief, the adjutant general shall be the executive and administrative head of the military division of the executive branch of the government of the commonwealth.

Except as otherwise provided, he shall require that all contracts and may require that all expenditures made by the division be submitted to him for approval.

Assistant
adjutants
general.

(c) There shall be four full-time assistant adjutants general, one of whom shall be designated executive officer, who shall perform such duties as may be delegated to them by the adjutant general, or as prescribed in orders and regulations from time to time.

State
quartermaster.

Powers and
duties.

(d) There shall be one full-time state quartermaster who shall, except as otherwise provided in this chapter and in chapter three hundred and forty-four of the acts of nineteen hundred and thirty-six, have the care and control of all land and buildings held for military purposes and all other military property of the commonwealth except such as is by law expressly intrusted to the keeping of others. He shall be the state finance officer for the receipt, disbursement and accounting for all funds received by him for the payment, equipment, travel and subsistence of the armed forces of the commonwealth. He shall give bond to the commonwealth in the penal sum of twenty thousand dollars with surety or sureties approved by the commander-in-chief, conditioned upon the faithful performance of his duties as prescribed herein. He shall have advanced to him by the commonwealth, under such rules and regulations as the state comptroller may prescribe, one hundred per cent of the pay and mileage for duty under section forty, forty-one, forty-two or sixty, and shall return the unexpended balance of the sum so advanced as soon as possible, or at such times as the comptroller may require.

State
surgeon.

Duties.

(e) There shall be a state surgeon who shall be adviser to the military division on all matters pertaining to the medical services of the armed forces of the commonwealth. He shall be a member of the board provided for in section ninety.

State judge
advocate.

Powers and
duties.

(f) There shall be a state judge advocate who shall be the legal adviser of the military division on all matters referred to him by law or by the commander-in-chief. He shall examine and report in writing to the commander-in-chief on all proceedings of courts-martial requiring the action of the commander-in-chief. He shall be a member of the boards provided for by sections fifty-two, ninety and ninety-five of this chapter. He may be detailed by the commander-in-chief to attend any encampment, and during the encampment shall within the limits of the camp and for a distance of one mile outside said limits have the jurisdiction of a district court of all offenses then and there committed.

State property
officer.

Powers and
duties.

(g) There shall be a state property officer who shall be the property and fiscal officer for the commonwealth in the receipt, issue, and accounting of all federal funds and property issued or allotted to the commonwealth in connection with the armed forces. He shall make such returns and reports concerning the same as may be required by law and regulation and shall carry out such orders as may be

issued from time to time by the department of defense. He shall hold rank in accordance with the national defense act, and acts in addition thereto or in amendment thereof, and regulations issued thereunder. He shall perform such other duties as may be prescribed by the commander-in-chief.

(h) There shall be a state engineer officer who shall be adviser to the military division on all technical matters involved in the construction, alteration and repair of all structures and installations intended for the use of the armed forces of the commonwealth. He shall be ex officio a member of the armory commission provided for in section eighteen of chapter six.

State engineer officer.

Powers and duties.

(i) There shall be a state inspector and a state ordnance officer who shall perform such duties pertaining to their respective offices as prescribed in orders or regulations from time to time by the commander-in-chief.

State inspector and state ordnance officer.

(j) Except when ordered on duty under section thirty-eight, forty, forty-one, forty-two or sixty of this chapter, the officers of the state staff shall respectively receive the following salaries:— the assistant adjutants general, the same pay as an officer of the regular service of corresponding grade with corresponding length of service but not exceeding that of colonel; the state quartermaster, the same pay as an officer of the regular service of corresponding grade with corresponding length of service but not exceeding that of colonel; the state surgeon, twenty-five hundred dollars; provided, however, that for services rendered to the commissioner of veterans' services in cases of state or military aid and soldiers' relief he may receive such additional compensation, not exceeding twelve hundred dollars per annum, as said commissioner shall approve; the state judge advocate, twenty-five hundred dollars; the state property officer, one thousand dollars; the state engineer officer, twenty-five hundred dollars; the state inspector and the state ordnance officer, fifteen hundred dollars each.

Salaries.

(k) During the absence or disability of an officer of the state staff, or during such time as he is in the active military service of the United States, the commander-in-chief may in orders designate some officer to perform his duties.

Section 16. The adjutant general and officers of the state staff shall not be interested, directly or indirectly, in the purchase or sale of any articles intended for, or appertaining to, their respective departments, except for and on account of the commonwealth; nor shall they or any of them take or apply to his or their own use, for negotiating or transacting business in their respective departments, any gift, gain or advantage other than that allowed by law. The holding of less than five per cent of the stock of a corporation which is the vendor or purchaser of any article as above described when the officer concerned neither holds office in such corporation nor receives from it any emoluments other than dividends as a shareholder, shall not be deemed to be included in the prohibition of this section.

Members of state staff, not to profit from business with commonwealth.

Exception.

Penalty.

Section 17. Any officer violating any provision of section sixteen shall be punished by a fine of not more than five thousand dollars, or by imprisonment for not more than two and one half years in a jail or house of correction or not less than two and one half nor more than five years in the state prison, or by both such fine and imprisonment.

Adjutant general may order certain officers to active duty.

Section 18. (a) The adjutant general, upon recommendation of the commanding officer of a federally recognized infantry division may order to active duty three officers to serve in the division headquarters. When so ordered to duty, such officers shall perform such duties appropriate to their positions as may be assigned by the commanding officer and shall receive the same pay as an officer of the regular service of corresponding grade with corresponding length of service but not exceeding the pay of a colonel, lieutenant colonel and major, respectively. To be eligible for duty as aforesaid, such officers shall have federal recognition for both their grade and position.

(b) The adjutant general, upon recommendation of the commander of a federally recognized air wing may order to active duty an officer to perform such administrative duties as may be assigned by such commander. When so ordered to duty, such officer shall receive the same pay as an officer of the regular service of corresponding grade with corresponding length of service but not to exceed the pay of lieutenant colonel. To be eligible for duty as aforesaid such officer shall have federal recognition for both the grade and the position.

Massachusetts Military Academy, establishment of.

Section 19. (a) There is hereby established the Massachusetts Military Academy, hereinafter called the academy, which shall offer to selected enlisted persons and officers of the armed forces of the commonwealth of satisfactory educational and military attainments such courses of instruction to prepare them for the responsibility of commissioned command as the commander-in-chief may prescribe.

Academic board.

(b) Under such regulations as the commander-in-chief may prescribe, the educational policies, courses of study, standards of admission and graduation of the academy shall be determined by an academic board of seven commissioned officers appointed by the commander-in-chief, at least a majority of whom shall be active officers of the national guard, army or air, at the time of their appointment. Members of the academic board shall serve for such terms as the commander-in-chief may prescribe, or until relieved by his order.

Commandant.

(c) Subject to the approval of the commander-in-chief, the academic board shall appoint a commandant and an assistant commandant of the academy, who shall serve for such terms as the academic board may prescribe, or until their resignations are accepted, or until they are relieved by a majority vote of the said board.

Powers and duties.

(d) The commandant shall select faculty members, instructors and employees and shall administer the academy in

accordance with such regulations as the academic board may prescribe.

(e) The commandant and such other persons as may be detailed under the provisions of this section shall receive such pay and may incur such expenses for the operation of the academy as may be approved therefor.

III. PERSONNEL.

Officers.

Section 20. No person shall be eligible to appointment, or be appointed, as an officer in the armed forces of the commonwealth who is not a citizen of the United States of eighteen years of age or over, resident in the commonwealth, or who is not certified as eligible by the military service commission as provided in section twenty-two; and no person shall be eligible to such appointment, or be appointed, who is under sentence of a court or board which disables him from holding office or command, or is under suspension from command in the armed forces of the United States or of any state, or is under sentence of imprisonment by a civil court, whether suspended or not, or is made ineligible to such service under the laws of the United States. No person shall receive a commission in the national guard, army or air, unless he shall possess such minimum qualifications as may be prescribed by the laws of the United States and has qualified for such commission thereunder.

Officers,
qualifications,
appointments,
etc.

Section 21. No person shall be eligible to appointment, or be appointed, as a legal, medical, dental or veterinary commissioned officer unless he is duly registered in accordance with the laws of the commonwealth, and complies with its laws relative to the practice of his profession.

Professional
qualifications,
when required.

Section 22. (a) There shall be a military service commission, hereinafter called the commission, consisting of the adjutant general and six officers of the Massachusetts national guard, army and air. Three of such officers shall be selected from the army national guard, and three of such officers shall be selected from the air national guard. The commander-in-chief shall initially detail two such officers for terms of one year each, two such officers for terms of two years each and two such officers for terms of three years each. Thereafter all officers will be detailed to the commission for terms of three years by the commander-in-chief.

Military service
commission,
establishment
of.

Membership,
duties, etc.

(b) The commission shall establish an eligible list for all commissioned and warrant officer grades in the armed forces of the commonwealth, and all commissioned officers of the armed forces shall be selected from the eligible list so established.

(c) The commission shall from time to time prepare rules, to take effect upon approval by the commander-in-chief, regulating the selection of persons to fill commissioned and warrant offices in the armed forces. Such rules may be of general or limited application and may include provisions

for (1) the classification of all grades to be filled; (2) open, competitive and other examinations to test the practical fitness of the applicants; and (3) the filling of vacancies in and selection of persons for commission in the armed forces, in accordance with the fitness of applicants and the results of such examination.

(d) The commission may designate commissioned officers of the armed forces of the commonwealth to act as examiners.

(e) Members of the commission and the examiners shall receive such pay for duty performed, and may incur such expenses, as may be appropriated therefor.

(f) The commission shall prepare a record of its proceedings and findings in the case of each person appearing before it for examination.

(g) All examinations for physical qualifications to hold office in the armed forces of the commonwealth shall be made by a board of medical officers detailed by the commander-in-chief for that purpose, which shall report its findings to the commission. If the commission finds that an officer reported to be physically unsound possesses professional and general qualifications of a high order, and that his physical disabilities will not materially impair his efficiency as an officer, it may thereupon recommend waiver of such physical disabilities. A description of such disabilities and all reports and facts resulting in a waiver of the same shall be entered in the military record of the officer concerned.

(h) Examinations for professional qualifications to hold office in the armed forces of the commonwealth shall be made by a panel of the commission consisting of those members of the component of the candidate.

(i) An officer certified as eligible for his grade, if assigned to duty in that grade, shall not be required to take another examination under the rules adopted by authority of subsection (c) of this section in order to continue to hold the same commission or warrant; provided, that the commission may, by rule or regulation, limit the length of time during which an applicant's name may remain on an eligible list without re-examination.

(j) Subject to Article LIII of the Articles of Amendment of the Constitution, any person certified as eligible for any specific grade in the national guard, army or air, under the laws of the United States, and graduates of the Massachusetts Military Academy, shall be placed on the eligible list by the commission without professional examination.

Succession of Command.

Succession
of command.

Section 23. (a) (1) A major general of the line, commanding a division, shall be appointed by the commander-in-chief from the brigadier generals of the line who have served in such offices for a period of at least two years.

(2) When a vacancy occurs in the office of a major general of the line, commanding a division, and there are no brigadier

generals of the line qualified as provided in paragraph (1), the commander-in-chief will appoint one of the brigadier generals of the line to serve as acting division commander until the appointment of a major general becomes possible. If a brigadier general, appointed to serve as acting division commander under this subsection, is not appointed as a major general, he will revert to his previous command, which will not be filled by promotion during the time he serves as acting division commander.

(3) When a vacancy occurs in the office of a major general of the line, commanding a division, and there is only one brigadier general of the line, the commander-in-chief will appoint such brigadier general either as the division commander or as acting division commander. If appointed to be division commander, such brigadier general shall, when he has served for a period of at least two years as a brigadier general of the line, be appointed by the commander-in-chief to the grade of major general. If, however, a second brigadier general of the line becomes qualified and is appointed by the commander-in-chief as the division commander, the brigadier general who has been serving in an acting capacity shall revert to his former command, to which no promotion will be made during the period that he serves as acting division commander.

(4) When a vacancy occurs in the office of a major general of the line, commanding a division, and there are no brigadier generals of the line, the commander-in-chief shall appoint the senior officer then serving in the division to be the acting division commander until the appointment and qualification of a brigadier general of the line, who shall then be appointed by the commander-in-chief under the provisions of paragraph (3).

(5) When a vacancy occurs in the office of a major general of the line, commanding a division, and the commander-in-chief fails to appoint a division commander or acting division commander, the senior line officer then serving in the division shall issue an order assuming command, in the following form:

"The office of commanding general, Infantry Division, having become vacant by (here state reasons why the office is vacated), I, (name and grade), by virtue of the fact that I am the senior line officer now serving in said division, do hereby assume command of this division.

(Signature)
(Grade)"

(6) Any officer assuming command under the provisions of paragraph (5) shall remain in command of the division until the commander-in-chief shall make an appointment of a division commander under the provisions of this section.

(b) Brigadier generals of the line shall be appointed by the commander-in-chief upon recommendation of their superior commander, if any, from the colonels who have had active service for at least two years as such.

(c) Regimental and separate organization commanders shall be appointed by the commander-in-chief upon the recommendation of superior commanders, if any.

(d) All other officers shall be appointed by the commander-in-chief upon the recommendation of appropriate commanders, approved by superior commanders.

Oath required
of commis-
sioned officers.

Section 24. Every commissioned officer, before entering upon the performance of his official duties or exercising any command, shall take and subscribe the following oaths and declarations:

I,, do solemnly swear that I will bear true faith and allegiance to the commonwealth of Massachusetts, and will support the constitution thereof. So help me, God.

I,, do solemnly swear that I will obey the lawful orders of all my superior officers. So help me, God.

I,, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as according to the best of my ability and understanding, agreeably to the rules and regulations of the constitution and the laws of the commonwealth. So help me, God.

I,, do solemnly swear that I will support the constitution of the United States. So help me, God.

All officers shall take and subscribe the said oaths before any competent authority or an officer qualified under section eighty-one to administer oaths, except retired officers and aides-de-camp of the commander-in-chief who may take said oaths before any competent authority; and the following certificate shall be printed on every commission and shall be signed by the person before whom the officer is qualified:

This may certify that, commissioned as within on this day of, A.D., personally appeared and took and subscribed the oaths required by the constitution and laws of this commonwealth and by a law of the United States, to qualify him to discharge the duties of his office.

Before me,

Physical,
moral and
professional
qualifications
for command.

Section 25. No person commissioned as an officer or appointed as a warrant officer in the national guard, army or air, shall enter upon the performance of his official duties or exercise any command unless he shall possess such minimum qualifications, and shall have passed such other tests as to his physical, moral and professional fitness, as are prescribed by the laws of the United States, and shall have taken and subscribed to the oath of office. The commander-in-chief shall forthwith discharge, or place upon the retired list under section thirty-one, unless further time is allowed for cause, any officer failing to pass the tests required by this chapter or the laws of the United States and the regulations issued thereunder.

Terms of
office of cer-
tain officers.

Section 26. The term of office of a major general of the line shall be five years. The term of office of a brigadier general of the line shall be six years. The term of office of a colonel of a regiment or of an artillery or air group, except an

air medical group, shall be seven years. The terms of office aforesaid shall commence from the date of appointment. Officers so appointed shall be ineligible for reappointment in the same office. The time during which an officer is in the military service of the United States under section one hundred and eleven of the National Defense Act shall be excluded from the term herein specified.

Section 27. Seniority of officers of the same grade shall be determined by their date of rank, which shall be their date of appointment. Between officers of the same grade and date of rank the relative rank shall be determined by considering dates of rank in lower grades in the armed forces of the commonwealth, commissioned, warrant and enlisted, until seniority is established. If seniority is not so established it will be decided by relative age. The day of the appointment of an officer shall be stated in his commission and shall be considered as the date thereof.

Determination
of seniority
of officers.

Section 28. Officers shall provide themselves with uniforms and equipment prescribed by the commander-in-chief.

Uniforms,
etc.

Section 29. (a) At any time the moral character, capacity and general fitness for the service of any officer may be investigated and determined by an efficiency board of three commissioned officers, senior in rank to him, to be designated by the commander-in-chief. The investigation may include misconduct in civil life for which the officer is not amenable to court-martial. If the findings of the board are unfavorable to the officer and are approved by the commander-in-chief, the officer shall be discharged.

Efficiency
board,
established.

(b) An officer may be honorably discharged by the commander-in-chief upon removal from the commonwealth, upon tender of resignation, or when he accepts an appointment in a regular component or in another reserve component of the armed forces of the United States.

(c) The commander-in-chief may discharge an officer who is under sentence of imprisonment by a civil court, whether suspended or not, or who has been absent without leave for two months continuously.

Section 30. Officers discharged from the service of the commonwealth shall be entitled to a certificate of discharge, in such form as the commander-in-chief shall direct.

Certificate of
discharge.

Section 31. Any officer in the military forces of the commonwealth at the age of sixty-five shall be honorably discharged, or upon his own request, placed upon the retired list with the highest grade held by him in the active military service.

Retired list.

Any member of the armed forces of the commonwealth, with five or more years service as an officer and service in time of war in the armed forces of the United States, or fifteen years total service as an officer, may be placed upon the retired list with any grade held by him in the active military service or one grade higher, but in any case not to exceed the grade of major general.

An officer upon the retired list accepting a commission in

the active military forces of the commonwealth may again be placed upon said retired list, at his own request, with his former grade on the retired list, or any lower grade.

Commander-in-chief may require physical examinations.

Section 32. The commander-in-chief may order any officer before a medical board consisting of at least three medical officers, and if the board reports such officer to be physically unable to perform the duties of his office, the commander-in-chief may discharge him or place him on the retired list.

Rights and duties of retired officers.

Section 33. Retired officers shall be commissioned on the retired list by the commander-in-chief, by regulations promulgated by him, and on occasions of ceremony may, and when acting under orders as hereinafter provided shall wear the uniform of their retired grade. They shall be eligible to perform any military duty to the same extent as if not retired, and the commander-in-chief may require them to serve upon military boards, courts of inquiry and courts-martial, or to perform any other duty, and while actively engaged in such duty they shall receive the pay and allowances under the provisions of subsection (a) of section eighty-three. They shall be amenable to court-martial for military offenses.

Enlisted Personnel.

Enlisted personnel.

Section 34. The commander-in-chief may, by regulations, prescribe the requirements for the enlistment, service and discharge of enlisted personnel, as he deems necessary.

Promotions, etc.

Section 35. The commander-in-chief shall provide, by regulations, how and by whom noncommissioned officers and other enlisted personnel shall be appointed, promoted and reduced.

Dishonorable discharge.

Section 36. A dishonorable discharge shall be given only to carry out the sentence of a court-martial.

Certificate of discharge.

Section 37. Discharged enlisted personnel shall be furnished with a certificate of discharge which shall clearly state their grade and the reason for their discharge.

IV. OPERATIONS AND TRAINING.

Commander-in-chief may order out militia.
Duty without commonwealth.

Section 38. The commander-in-chief may order out any part of the organized militia for escort and other duties.

Section 39. Except by order of the commander-in-chief, or with his consent, no unit of the armed forces of the commonwealth shall be ordered without the limits of the commonwealth or leave the commonwealth for any period or purpose whatever, with military property of the United States or of the commonwealth in its possession or use.

Call of militia to repel invasion or insurrection.

Section 40. The commander-in-chief shall order out the armed forces to repel an invasion or to suppress an insurrection made or threatened.

Call of militia in case of tumult, riot, etc.

Section 41. In case of a tumult, riot, mob or body of persons acting together by force to violate or resist the laws of the commonwealth, or when such tumult, riot or mob is

threatened, and the usual police provisions are inadequate to preserve order and afford protection to persons and property, and the fact appears to the commander-in-chief, to the sheriff of a county, to the mayor or city manager of a city or to the selectmen of a town, the commander-in-chief, upon his initiative or at the request of such sheriff, mayor or city manager or selectmen, may issue his order directed to the commander of any organization or unit of the armed forces of the commonwealth directing him to order his command, or any part thereof, to appear at a time and place therein specified to aid the civil authority in suppressing such violations and supporting the laws.

Section 42. In case of public catastrophe or natural disaster, other than referred to in section forty-one, and when the usual police provisions are inadequate to preserve order and afford protection to persons and property, and the fact appears to the commander-in-chief, to the sheriff of a county, to the mayor or city manager of a city or to the selectmen of a town, the commander-in-chief may issue his order, or such sheriff, mayor, city manager or selectmen may issue a precept, directed to the commander of any organization or unit of the armed forces of the commonwealth, within the county of the sheriff, the city of the mayor or city manager, or the town of the selectmen issuing such order or precept, directing him to order his command, or any part thereof, to appear at a time and place therein specified to aid the civil authority in preserving order, affording such protection and supporting the laws; which precept shall be in substance as follows: —

Call of militia in case of public catastrophe or natural disaster.

COMMONWEALTH OF MASSACHUSETTS.

To (insert the officer's title) A.B., commanding (insert his command).

Form of precept.

Whereas, It appears to (the sheriff, mayor, city manager or the selectmen) of the (county, city or town) of _____, that (here state one or more of the causes above mentioned) in our _____ of _____, and that military force is necessary to aid the civil authority. Now, therefore, we command you that you cause (the command or such part thereof as may be desired), armed and equipped with ammunition and with proper officers, to appear at _____, on _____, then and there to obey such orders as may be given according to law. Hereof fail not at your peril, and have you there this precept with your doings returned thereon.

This precept shall be signed by the sheriff, mayor, city manager or selectmen, and may be varied to suit the circumstances of the case; and a copy of the same shall immediately be forwarded by the sheriff, mayor, city manager or selectmen to the commander-in-chief.

Section 43. Whenever practicable all orders issued under section forty-one or section forty-two shall be in writing and signed by the civil officers or persons issuing the same. Such orders shall set forth the purpose to be accomplished by the military officer to whom addressed, but shall not prescribe the military measures to be used or the orders to

Orders to be in writing, etc.

Contents thereof.

be issued by such officer, who shall use such measures and issue such orders as he deems necessary to accomplish the purpose indicated.

Duty of
commander
of unit.

Section 44. The officer to whom the order of the commander-in-chief, or a precept under section forty-two, is directed shall forthwith order the troops therein called for to appear at the time and place appointed, and shall immediately notify the commander-in-chief of his order, in the most expeditious manner, and also by letter through the usual military channels.

Penalty for
disobedience.

Section 45. If an officer neglects or refuses to obey such order of the commander-in-chief or such precept, or if any officer or enlisted person fails to obey an order issued in pursuance thereof, he shall be punished as a court-martial may direct.

Troops to
appear armed,
etc.

Section 46. The troops shall appear at the time and place appointed by the order or precept issued under section forty-one or forty-two, armed and equipped, and shall obey and execute such orders as they have received, or such additional orders as they may then and there or thereafter receive from the commander-in-chief, or from an officer or person acting under section forty-two.

Excused from
duty.

Section 47. No officer or enlisted person of the armed forces of the commonwealth, not on leave of absence, shall be excused from duty when ordered out under section thirty-eight, forty, forty-one or forty-two, except upon a physician's certificate of disability. If an officer or enlisted person is absent without leave and does not produce such certificate to his commanding officer, he may be tried by court-martial for desertion or absence without leave. Sickness shall not be an excuse unless he procures a certificate or satisfies the court-martial that he was unable to procure the same.

Punishment
for absence
without leave.

Expenditures.

Section 48. The governor may expend for carrying out the provisions of sections thirty-eight, forty, forty-one, forty-two, fifty-four, sixty and sixty-one, such sums as may be appropriated therefor.

Expense of
service of
militia, how
assessed.

Section 49. Upon the termination of any service of the armed forces of the commonwealth under a precept in accordance with section forty-two, or under an order of the commander-in-chief at the request of such sheriff, mayor, city manager or selectmen under section forty-one, the adjutant general shall certify to the state treasurer the expense of said service, and the state treasurer shall thereupon assess said expense in the manner provided for by section twenty of chapter fifty-nine.

Right of way
for convoys,
etc., granted.

Section 50. The armed forces of the United States and any part of the armed forces of the commonwealth parading or performing any duty according to law shall have the right of way in any street or highway through which they may pass, and drivers of vehicles in a military convoy, consisting of five or more vehicles, may drive such vehicles through an intersection of ways contrary to any traffic signs or signals regulating traffic at such intersection, if a

police officer or duly authorized member of the military service is then stationed at such intersection to regulate traffic; provided, that the carriage of the United States mails, the legitimate functions of the police, and the progress and operation of fire departments shall not be interfered with thereby.

Section 51. When on duty under orders of the commander-in-chief, the armed forces of the commonwealth may enter upon and occupy any public or private lands within the commonwealth for the necessary purposes of such duty, and no officer or enlisted person shall thereby become liable, either civilly or criminally, for trespass; but except in times of invasion, insurrection, riot, natural disaster, public catastrophe or danger, no organization of the armed forces nor individual members thereof shall be permitted to enter houses or other buildings or their immediate enclosures, without the consent of the owner or tenant in possession, nor to go upon the gardens, lawns, tobacco fields, cranberry bogs, vineyards, nurseries, planted fields, orchards or cemeteries unless extreme necessity for such entry exists, and then only in obedience to the specific orders of the senior officer present.

No liability for trespass under orders.

Section 52. In the case of land entered upon under section fifty-one for an encampment or other substantial occupancy, the owner thereof shall receive damages in the nature of compensation for the use of the land and for any injury to the same resulting from such occupancy; and in the case of land so entered upon or passed over in the course of maneuvers, field exercises, or any similar transient purposes, the owner shall receive damages for any injury to the same resulting from such entry, but shall not be entitled to compensation for the use of the land. The amount of damages to be paid by the commonwealth under this section shall be as agreed upon by the owner of the land with an officer or board of officers appointed by the commander-in-chief to adjust the claim; provided, that if the parties are unable to agree, the damages shall be assessed under chapter seventy-nine.

Compensation for certain damage to private property, authorized.

Section 53. No officer or enlisted person shall be liable, either civilly or criminally, for any damage to property or injury to any person, including death resulting therefrom, caused by him or by his order, while performing any military duty lawfully ordered under any provision of this chapter, unless the act or order causing such damage or injury was manifestly beyond the scope of the authority of such officer or enlisted person.

No liability for acts under orders.
Exception.

Section 54. When the entire armed forces of the commonwealth have been ordered out under section forty, forty-one or forty-two, and a further force is required, it shall be taken from the unorganized militia, as provided in section fifty-five.

Additional force to be taken from unorganized militia, when.

Section 55. When necessary to call out any part of the unorganized militia for duty, the commander-in-chief shall

Call of unorganized

militia, how
accomplished.

issue a proclamation directed to the mayors or city managers and selectmen, who shall forthwith, by written order or oral notice to each individual, or by proclamation on their part, appoint a time and place for the assembling of the unorganized militia in their respective cities and towns, and shall then and there draft as many thereof, or accept as many volunteers, as are required by the order of the commander-in-chief, and shall forthwith forward to him a list of the persons so drafted or accepted as volunteers.

Unorganized
militia to
be mustered
into service,
when, etc.

Section 56. The part of the unorganized militia so drafted or accepted shall immediately be mustered under the orders of the commander-in-chief into the service of the commonwealth for three years, or for such less period as he may direct, and shall be organized into new units, or assigned to organizations of the organized militia then existing. Such new organizations shall be officered, equipped, trained and governed according to the laws for the government of the organized militia. The commander-in-chief may detail officers to train and command such new organizations until their officers shall have qualified. Every member of the unorganized militia who volunteers or is drafted, who does not appear to be mustered in as required by the orders of the commander-in-chief, and does not produce a sworn certificate from a physician in good standing of physical disability so to appear, shall be prima facie a deserter and upon conviction thereof shall be punished as a court-martial may direct.

Performance
of military
duty when
election polls
are open,
forbidden.

Section 57. Except while on duty under section forty, forty-one, forty-two or sixty, or in obedience to the commander-in-chief, no officer or enlisted person shall be required to perform military duty during the time when polls are open for an election in the city or town where he resides; and an officer parading his unit, or ordering it to duty, contrary to this section, shall be liable to trial and punishment as a court-martial may direct.

Exemption
from jury
duty and
civil arrest.

Section 58. Members of the armed forces of the commonwealth shall not be liable for jury duty, and any citizen who has served for nine years in the armed forces of the commonwealth, or whose total faithful service in the armed forces of the commonwealth and in the armed forces of the United States in time of war equals nine years, shall be exempt for life from jury duty. No officer or enlisted person shall be arrested on civil process while going to, remaining at or returning from a place where he is ordered to attend for military duty under section thirty-eight, forty, forty-one, forty-two, sixty or sixty-one.

No loss of
pay or
vacation for
certain state
and municipal
employees in
militia.

Section 59. Any person in the service of the commonwealth, or of a county, city or town which, by vote of its county commissioners or city council or of its inhabitants at a town meeting, accepts this section, or has accepted similar provisions of earlier laws, shall be entitled, during the time of his service in the armed forces of the commonwealth, under section thirty-eight, forty, forty-one, forty-

two or sixty, or during his annual tour of duty of not exceeding fifteen days as a member of a reserve component of the armed forces of the United States, to receive pay therefor, without loss of his ordinary remuneration as an employee or official of the commonwealth, or of such county, city or town, and shall also be entitled to the same leaves of absence or vacation with pay given to other like employees or officials.

Section 60. The armed forces of the commonwealth shall perform during each year not less than fifteen days' training under service conditions at times and places designated by the commander-in-chief.

Annual period of training, required.

Section 61. (a) In addition to the duty required by section thirty-eight, forty, forty-one, forty-two or sixty, every unit of the armed forces of the commonwealth shall assemble for training at least forty-eight times in each year, and oftener if so directed by the unit or organization commander. Organization drills and parades may be held in place of unit drills, and transportation to and from the place of such drills and parades shall be furnished for the units composing the organization, if authorized by the commander-in-chief.

Assemblies for further training, required.

(b) Organization and unit commanders may call meetings of instruction for the noncommissioned officers of their commands as they deem necessary.

Section 62. Organization commanders may hold meetings of instruction for the officers of their commands four times each year. Mileage may be paid when approved in advance by the adjutant general.

Meetings of instruction for officers.

Section 63. Organization commanders or their representatives shall visit the units of their commands not less than four times each year.

Unit visits by commanders.

Section 64. The governor, with the advice and consent of the council, and under such regulations as he may prescribe, may exclude traffic from highways during target practice or maneuvers of any organization or unit of the armed forces of the United States or of any state thereof, whenever he deems that public convenience or safety so requires.

Traffic may be excluded from highways during maneuvers, etc.

Section 65. Every commanding officer, when on duty, may fix necessary bounds and limits to his parade or encampment, but not including a public road within such bounds in such manner as to prevent traveling thereon, within which bounds and limits no person shall enter without his leave. Whoever intrudes within the limits of the parade or encampment, after being forbidden, may be ejected, forcibly if necessary, or may be confined under guard during the time of parade or encampment, or during a shorter time, at the discretion of the commanding officer; and whoever resists a sentry may be arrested by order of the commanding officer and dealt with as provided in section sixty-six.

Bounds of parades and encampments.

Penalty for intrusion.

Section 66. Whoever interrupts, molests or insults, by abusive words or behavior, or obstructs, any officer or en-

Penalty for molesting or

insulting
troops on
duty.

listed person while on duty or at any parade, drill or assembly for military purposes, may immediately be put under guard and kept at the discretion of the commanding officer until the duty, drill, parade or assembly is concluded; and may be delivered into the custody of any police officer of the city or town where such duty, parade, drill or assembly is held, who shall detain him in custody for examination or trial before a court having jurisdiction of the place; and any person found guilty of any of the offences enumerated in this section, or in section sixty-five or one hundred and twenty-three, or of obstructing or interfering with the armed forces of the United States or any part of the armed forces of the commonwealth in the exercise or enjoyment of the right of way granted by section fifty, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

V. AWARDS AND DECORATIONS.

Awarding of
medals and
decorations,
regulated.

Section 67. (a) To each member who completes nine years of honorable service in the armed forces of the commonwealth, there shall be awarded a medal, and for each additional five years of like service a clasp to be affixed to the ribbon pendant thereof. Members of the armed forces of the commonwealth, active, retired or honorably discharged, who have served in the armed forces of the United States in time of war and have been honorably discharged therefrom, shall receive a clasp indicative of such service, to be affixed to the ribbon pendant of the medal herein provided.

(b) The adjutant general and two field grade officers of the armed forces of the commonwealth, detailed by the commander-in-chief, shall act as a medal of valor commission, and may receive recommendations, through military channels, for the award of the medal of valor to a member of the armed forces of the commonwealth, who, by reason of conspicuous gallantry at the risk of his life, above and beyond the call of duty, while on military service, is recommended for the award of said medal of valor.

(c) The adjutant general and two field grade officers of the armed forces of the commonwealth, detailed by the commander-in-chief, shall constitute a commission to receive recommendations, through military channels, for the award of the Massachusetts military medal to a member of the armed forces of the commonwealth who, while on military service, performed a singularly meritorious act of heroism which distinguished him above his comrades.

(d) The adjutant general and two field grade officers of the armed forces of the commonwealth, detailed by the commander-in-chief, shall act as a Massachusetts medal of merit commission, and may receive recommendations, through military channels, for the award of the medal of merit to a member of the armed forces of the commonwealth

who has distinguished himself by exceptionally meritorious conduct in performing outstanding services while a member of the armed forces of the commonwealth.

(e) Commissions constituted under subsections (b), (c) and (d) of this section shall, after careful investigation, report their findings and recommendations to the commander-in-chief, who, if the award appears justified, shall confer upon the member the medal recommended.

Not more than one medal of valor, Massachusetts military medal or medal of merit, shall be awarded to any person, but a suitable clasp shall be awarded, under the same conditions.

The design of the medals hereinbefore referred to shall be approved by the art commission for the commonwealth.

The Massachusetts medal of merit shall not be awarded posthumously.

Section 68. Money or other suitable prizes may be awarded for shooting, athletic or other competitions in the armed forces of the commonwealth, under such regulations as the commander-in-chief shall determine, which prizes shall be paid or furnished by the commonwealth.

Awards of money or prizes for certain feats.

VI. MILITARY JUSTICE.

Section 69. The military courts of the armed forces of the commonwealth shall be courts of inquiry, general courts-martial, special courts-martial and summary courts-martial. They shall be constituted like, and have cognizance of the same subjects, and possess like powers, except as to punishment, as similar courts provided for by the laws and regulations governing the armed forces of the United States, and proceedings of courts-martial shall follow the forms and modes of procedure prescribed for said similar courts, except as expressly modified by this chapter.

Military courts, how constituted.

Section 70. Courts of inquiry, to consist of from one to three officers of at least equal grade with the officer, or with the senior officer if there be more than one, in regard to whom the court is convened, may be convened by the commander-in-chief or by such commanding officers authorized thereto by the commander-in-chief in orders to examine into the nature of any transaction of or accusation or imputation against any officer.

Courts of inquiry, jurisdiction, etc.

Section 71. General courts-martial of the armed forces of the commonwealth may be convened by the commander-in-chief, and may impose one or more of the following punishments or sentences for each offense: — (1) fine, not exceeding two hundred dollars; (2) forfeiture of pay and allowances; (3) reprimand; (4) dismissal or dishonorable discharge from the service; (5) reduction of noncommissioned officers.

General courts-martial, how convened, etc.

Section 72. The commanding officer of a division, brigade, air wing or other separate commands may convene special courts-martial for his command, but such special courts-martial may in any case be convened by superior authority

Special courts-martial, jurisdiction, powers, etc.

when by the latter deemed desirable. Special courts-martial shall have power to try any person subject to military law, except a commissioned officer, for any crime or offense made punishable by the Uniform Code of Military Justice, or by the provisions of this chapter. Special courts-martial shall have the same powers of punishment as do general courts-martial, except that fines imposed by them shall not exceed one hundred dollars.

Summary
courts-martial.

Jurisdiction,
powers, etc.

Section 73. Commanding officers authorized to convene special courts-martial, and commanding officers of regiments, battalions, companies, and equivalent air units, may convene for their commands summary courts-martial to consist of one commissioned officer. Summary courts-martial shall have power to try enlisted personnel for any non-capital offense made punishable by the Uniform Code of Military Justice or by the provisions of this chapter. Personnel above the grade of corporal or similar grade in air units shall not be tried by summary courts-martial if they object thereto before arraignment. Summary courts-martial shall have power to impose a fine not exceeding twenty-five dollars for any single offense and may reduce noncommissioned officers. The proceedings of such court shall be informal and the record thereof shall be substantially the same as that prescribed for the armed forces of the United States.

Disciplinary
punishment
for minor
offenses,
authorized.

Section 74. (a) Under such regulations as the commander-in-chief may prescribe, any commanding officer may, in addition to or in lieu of admonition or reprimand, impose one of the following disciplinary punishments for minor offenses without the intervention of a court-martial:

(1) Upon any member of his command, the withholding of privileges for a period not to exceed two consecutive weeks, or restriction to certain specified limits for a similar period.

(2) Upon enlisted personnel of his command, extra duties for a period not to exceed two consecutive weeks, and not to exceed two hours per day, or reduction to the next inferior grade.

(3) An officer commanding a group, regiment, brigade, wing or division may impose upon any member of his command a fine not exceeding one hundred dollars for any single offense which relates to a violation of a flying regulation.

(b) A person punished under authority of this section who deems his punishment unjust or disproportionate to the offense may, through the proper channel, appeal to the next superior authority. The appeal shall be promptly forwarded and decided, but the person punished may in the meantime be required to undergo the punishment adjudged. The officer who imposes the punishment, his successor in command, and superior authority shall have power to suspend, set aside or remit any part or amount of the punishment and to restore all rights, privileges, and property affected.

(c) The imposition and enforcement of disciplinary punishment under authority of this section for any act or omission shall not be a bar to trial by court-martial for a serious

crime or offense growing out of the same act or omission, and not properly punishable under this section; but the fact that a disciplinary punishment has been enforced may be shown by the accused upon trial, and when so shown shall be considered in determining the measure of punishment to be adjudged in the event of a finding of guilty.

Section 75. Courts-martial may sentence to confinement in lieu of the fines authorized by this chapter, but not exceeding one day of confinement for each dollar of fine authorized.

Sentence to confinement, when authorized.

Section 76. Sentence of dismissal from the service or dishonorable discharge imposed by a court-martial shall be executed only when approved by the commander-in-chief.

Commander-in-chief to approve certain sentences.

Section 77. The senior member of a court-martial and summary court officers may issue warrants to arrest accused persons and to bring an accused person before the court for trial whenever he shall have disobeyed a written order from the convening authority, delivered to him with a copy of the charge or charges, and directing him to appear before the court. Said officials may issue subpoenas, and may enforce the attendance of witnesses and the production of books and documents, and may sentence for a refusal to be sworn or to answer, as in actions before civil courts.

Accused may be arrested on warrant.

Issuance of subpoenas, etc.

Section 78. (a) All processes and sentences of courts-martial shall be executed by an officer qualified to serve criminal process, and commitment under said sentences may be made to any jail or house of correction in the commonwealth. The master, or keeper, of the jail or house of correction to which a person is sentenced shall receive and detain him in the same manner as if he had been sentenced by a civil court sitting in the county where such jail or house of correction is situated. The necessary charges shall be paid by the commonwealth on vouchers in duplicate submitted to and approved by the adjutant general.

Execution of processes and sentences, regulated.

(b) All fines assessed by a court-martial and collected or withheld shall be paid to the commonwealth through the adjutant general subject to such regulations as he may describe.

Section 79. No action or proceeding may be maintained against a member of a military court or officer or person acting under its authority or reviewing its proceedings on account of the imposition, approval or execution of any punishment adjudged thereby.

Members of military courts not to be held liable for certain acts.

Section 80. The jurisdiction of courts convened under the provisions of this chapter shall be presumed and the burden of proof shall rest on any person seeking to oust or contest the jurisdiction of such courts in any action or proceeding.

Jurisdiction to be presumed.

Burden of proof, etc.

Section 81. All commissioned officers of the armed forces of the commonwealth shall have power to administer oaths for the purpose of the administration of military justice and for other purposes of military administration.

Power to administer oaths.

Section 82. The fee of a witness not a member of the

Witness fees, etc.

military forces of the commonwealth appearing before a military court upon summons thereof, shall be the same as a witness in a civil case before the courts of the commonwealth and shall be paid by the commonwealth upon certification of the state judge advocate filed with the comptroller.

VII. PAY AND ALLOWANCES.

Officers and Enlisted Personnel.

Pay and
allowances.

Section 83. (a) For duty performed under the provisions of sections thirty-eight, sixty and sixty-one, there shall be allowed and paid from funds appropriated therefor to members of the armed forces of the commonwealth the same rate of pay of like grade as would be received by them if they were on an active duty status in the armed forces of the United States with less than two years' service, and such subsistence, travel or other allowance as the adjutant general may authorize.

(b) For duty performed under the provisions of sections thirty-eight, forty, forty-one, forty-two and sixty, there shall be allowed and paid from funds appropriated therefor to the following military occupational specialists who are so classified in the armed forces of the commonwealth the basic per diem pay hereinafter indicated, subject, however, to the provisions of subsection (d): —

(1) Bandsmen: four dollars and fifty cents.

(2) Cooks: three dollars and fifty-five cents.

(c) For duty performed under the provisions of sections forty, forty-one and forty-two, there shall be allowed and paid to members of the armed forces of the commonwealth from funds appropriated therefor the same rate of pay for length of service and basic allowances as if they were on an active duty status in the armed forces of the United States, except as provided under subsection (b), subject, however, to the provisions of subsection (d).

(d) For duty performed under the provisions of sections thirty-eight, forty, forty-one, forty-two and sixty, the pay and allowances authorized by this section shall be reduced by any amounts received from the United States government as pay or allowances for military service performed during the same pay period.

Payments
for travel,
authorized.

Section 84. To each officer and enlisted person of the armed forces of the commonwealth required and authorized to travel under any section of this chapter, there shall be allowed and paid from funds appropriated therefor and under such regulations as the adjutant general may prescribe, the following: —

(1) For travel by privately owned motor vehicle, the current mileage rate authorized by law and any regulations pursuant thereto.

(2) For travel by rail or commercial airline, actual transportation expense.

Section 85. Subsistence for members of the armed forces of the commonwealth ordered to duty under the provisions of sections thirty-eight, forty, forty-one, forty-two and sixty, shall be furnished in kind unless otherwise directed by the adjutant general. Subsistence.

Section 86. Officers authorized to make payments in cash shall secure proper vouchers for all payments so made and shall submit to the adjutant general as he may direct an accounting of such payments made with supporting vouchers. Vouchers for cash payments, required.

Section 87. Upon approval of the adjutant general, there shall be allowed and paid from funds appropriated therefor, as of April first of each year, to each officer of the military forces of the commonwealth for the purpose of maintenance of his personal uniforms and equipment, a sum computed at the rate of not less than fifty dollars for the full year by the certification of his organization commander in such form as may be prescribed by the adjutant general that the designated officer of his command has served as such for the whole or a specified part of said preceding year and that during such service he has provided himself with the uniforms and equipment required by regulations. Allowances to officers for uniform, etc., authorized.

VIII. CLAIMS FOR PERSONAL INJURY AND PROPERTY DAMAGE.

Section 88. An officer or enlisted person of the armed forces of the commonwealth, while performing any military duty lawfully ordered under any provision of this chapter, or a person not a member of the armed forces of the commonwealth, but who is the owner, or is employed by the owner of a motor vehicle lawfully loaned to or hired by the commonwealth under section eighty-nine and whose services are loaned or given to the commonwealth for any purpose set forth in said section, or a person rendering assistance to any of the armed forces of the commonwealth in connection with the use of a motor vehicle under any provision of section eighty-nine by request or order of any responsible officer of said armed forces and who by reason of such voluntary action, employment or assistance and without fault or neglect on his part receives any injury, is disabled, or contracts any sickness or disease, incapacitating him from pursuing his usual business or occupation, shall, during the period of such incapacity, receive compensation to be fixed by a board appointed under the provisions of section ninety to inquire into his claim, and actual necessary expenses for medical services and care, medicines and hospitalization. In case of death resulting from such injury, sickness or disease, compensation shall be paid to the decedent's dependents, as determined in accordance with clause (3) of section one, and section thirty-two of chapter one hundred and fifty-two, in the amounts provided by and otherwise subject to section thirty-one of said chapter; provided, that dependents other than widows and children shall receive compensation to be fixed by said board, which shall exercise all the powers given Compensation for personal injury and property damage in certain cases, authorized.

by said provisions of chapter one hundred and fifty-two to the division of industrial accidents.

Military use
of certain
motor vehicles,
authorized.

Section 89. Under an order issued by the commander-in-chief, the adjutant general, in the name and on behalf of the commonwealth, may, for military use, accept the gift or loan of a motor vehicle, or the grant of the temporary right to the use and control of a motor vehicle, or hire or purchase a motor vehicle in the event —

(1) An enemy at war with the United States shall commence or threaten operations to endanger the peace or safety of the commonwealth; or

(2) Of tumult, riot, mob, natural disaster, or public catastrophe within the purview of section forty-one or forty-two; or

(3) Any unit of the armed forces of the commonwealth shall be directed or authorized by order of the commander-in-chief to participate or engage in any military training, exercise or duty in which the use of motor vehicles in excess of the number issued to such unit may be required.

Board of
compensation,
established.

Section 90. Claims against the commonwealth for compensation under the provisions of section eighty-eight shall be referred to a board of three officers, including the state surgeon and the state judge advocate, appointed by the commander-in-chief. The board in consideration of the claim shall take into account any compensation received by the claimant or his dependents from the United States. The board shall have the same power to take evidence, administer oaths, issue subpoenas and compel witnesses to attend and testify and produce books and papers, and to punish their failure to do so as is possessed by a general court-martial. The findings of the board shall be subject to the approval of the commander-in-chief. The amounts so found due and so approved shall be a charge against the commonwealth and shall be paid in the same manner as other military accounts.

Membership,
duties,
powers, etc.

Compensation
for damage
or destruction
to private
property,
authorized.

Section 91. The owner of any private property damaged or destroyed by members of the armed forces of the commonwealth, while in the performance of duty under any provision of section thirty-eight, forty, forty-one, forty-two, sixty or sixty-one, or by a motor vehicle given or loaned to or hired by the commonwealth under the provisions of section eighty-nine, during any period of such use, shall be compensated therefor in an amount fixed by a board appointed under the provisions of section ninety-five; except that no reimbursement shall be allowed for depreciation of any motor vehicle loaned or hired under the provisions of section eighty-nine.

Filing of
claim deemed
waiver of
certain rights.

Section 92. If any person makes a claim against the commonwealth by giving a notice as authorized by section ninety-four, he shall be deemed thereby to have waived any other right or remedy against the commonwealth relative to the subject matter of such claim to which he would otherwise be entitled by law.

Rights of
subrogation in

Section 93. Where the damage or injury for which com-

pensation is claimed under section ninety or section ninety-one was caused under circumstances creating a legal liability in some person other than the commonwealth to pay damages in respect thereof, the commonwealth may enforce, in the name of the claimant or in its own name and for its own benefit, the liability of such other person. The sum recovered shall be for the benefit of the commonwealth unless such sum is greater than that paid by it to the claimant, in which case four fifths of the excess shall be paid to the claimant.

common-
wealth.

Section 94. No person performing any services under section eighty-eight shall, by reason of such services, be deemed to be an employee of the commonwealth or, if not already an officer or enlisted person of the armed forces of the commonwealth, to be such an officer or enlisted person, or to be entitled to receive any pension or retirement allowance from the commonwealth, or to have acquired any right, or to be entitled to receive any other benefit or compensation. Any person claiming the right to receive compensation from the commonwealth under any provision of section eighty-eight shall, within a reasonable time after receiving an injury, or contracting any sickness or disease, while performing services referred to therein, give to the adjutant general notice of his name and place of residence, and the time, place and cause of such injury, sickness or disease. Such notice shall be in writing, signed by the person claiming compensation or by someone in his behalf.

Services
rendered
under § 88,
not to entitle
person to
certain
benefits.

Section 95. All claims for damage to private property under the provisions of section ninety-one shall be referred to a board consisting of the state judge advocate, and two officers detailed by the commander-in-chief. The board shall have the same power to take evidence, administer oaths, issue subpoenas and compel witnesses to attend and testify and produce books and papers and to punish their failure to do so, as is possessed by a general court-martial. The findings of the board shall be subject to the approval of the commander-in-chief. The amount found due the owner by said board, to the extent that its findings are approved by the commander-in-chief, shall be paid from funds appropriated therefor.

Board of
claims,
established.

IX. ORGANIZATION AND UNIT FUNDS AND ADMINISTRATIVE ALLOWANCES.

Section 96. Organization and unit funds shall be maintained and conducted as the commander-in-chief may prescribe in regulations. The administration of such a fund by the officer designated in regulations to have the custody thereof shall be one of the duties pertaining to his office and for the proper performance of which he shall furnish bond to the commonwealth. Suit on the bond of such officer to recover for any misappropriation of the fund shall be brought in the name of the commonwealth for the benefit of the organization or unit affected. Upon the dis-

Administra-
tion of or-
ganization
and unit
funds, regu-
lated.

bandment of any organization or unit maintaining a fund as above provided, the adjutant general shall at once become custodian or treasurer thereof and shall distribute said funds to such organizations or units as he may determine to be equitably entitled thereto, or, if no organization or unit is so entitled, shall draw a check for the total amount on deposit in favor of the state treasurer, who shall hold such funds or shall expend them as the general court may prescribe; except in the case of organizations or units ordered into the active service of the United States, the adjutant general may act as custodian of such funds during the period of active federal service.

Appropriations for certain purposes, authorized.

Section 97. There shall annually be allowed and paid quarterly from money appropriated for the purpose in substantially equal installments under such regulations as may be promulgated by the commander-in-chief, to the organizations and units of the armed forces of the commonwealth, when not in federal service:

(a) For administration and maintenance including telephone, postage, printing, office and other necessary supplies not available through issue, for athletic or recreational equipment for the common use of enlisted personnel, for clerical assistance, for the repair and alteration of uniforms, and such other military purposes as may be approved by the commander-in-chief, the following sums:

(1) ARMY.

State headquarters	\$2,500
Division headquarters	3,500
Division artillery headquarters, anti-aircraft artillery brigade headquarters and regimental headquarters	800
Plus \$1 per man actually enlisted, up to authorized strength.	
Group headquarters	120
Plus \$1 per man actually enlisted, up to authorized strength.	
Separate battalion headquarters	100
Per company, battery or detachment, plus \$1 per man actually enlisted, up to authorized strength.	
Company, battery, band and detachment, except medical detachments	360
Plus \$6 per man actually enlisted, up to authorized strength.	

(2) AIR.

State headquarters	\$500
Wing headquarters	800
Plus \$1 per man actually enlisted, up to authorized strength.	
Group headquarters, except medical group	100
Per squadron or flight, plus \$1 per man actually enlisted, up to authorized strength.	
Squadron, flight, medical group	360
Plus \$6 per man actually enlisted, up to authorized strength.	

(b) Where no federal caretaker is provided, for the services of a caretaker, who, under such regulations as may be

promulgated by the commander-in-chief, shall devote the necessary attention to the care of quarters assigned to his headquarters or unit, and to the care of arms, equipment and supplies of such headquarters or unit, the sum of one hundred and twenty-five dollars annually.

X. UNIFORMS, EQUIPMENT AND PUBLIC PROPERTY.

Section 98. The uniform of the military forces of the commonwealth shall be prescribed by the commander-in-chief. No uniforms, except required yearly supplies, shall be provided by the commonwealth without a special appropriation therefor, and they shall be purchased under such inspection as the commander-in-chief may direct. Uniforms.

Section 99. Any part of the uniform or insignia of grade and arm or service prescribed for officers or enlisted persons of the armed forces of the commonwealth shall be worn only by persons entitled thereto by commission or enlistment under the laws of this commonwealth, of another state or of the United States. Whoever willfully violates any provision of this section shall be punished by a fine of not less than ten nor more than one hundred dollars. Penalty for illegal wearing of uniform, etc.

Section 100. Any unit of the military forces of the commonwealth may, with the approval of a majority of its officers and of the commander-in-chief, adopt a distinctive dress uniform other than that prescribed under section ninety-eight, procured at its own expense, but such uniforms will not be worn, except by permission of the commander-in-chief, when such unit is on duty under his orders. Distinctive dress uniforms, authorized.

Section 101. Except as otherwise provided, units of the military forces of the commonwealth and the cadets of the Massachusetts military academy shall be provided, at the expense of the commonwealth, with the individual and unit clothing and equipment necessary for their proper training and performance of military duties. Individual and unit clothing and equipment shall be issued in the manner prescribed by the commander-in-chief. Certain uniforms, etc., to be provided by the commonwealth.

Section 102. Individual and unit clothing and equipment so provided shall be used only for military purposes, under regulations promulgated by the commander-in-chief, who shall provide how and where such property shall be kept and used, and shall be returned when ordered by the commander-in-chief. Uniforms, etc., to be used only for military purposes.

Section 103. An officer or enlisted person shall be responsible for the proper care, safekeeping and return, when so directed, of all items of military property of the United States and of the commonwealth issued to him. He shall use the same for military purposes only, and upon being discharged, transferred or otherwise separated from the military service, or upon the demand of his commanding officer, shall forthwith deliver such item or items in his possession to the commanding officer, or to any officer ordered to receive them, in good order and condition, fair wear thereof excepted. Responsibility for care of military property.

Use of military property, regulated.

Section 104. An enlisted person shall not wear or use, except when on ordered military duty, or by special permission of his unit commander or other competent military authority, any item of the uniform equipment, or other item of military property of the United States or of the commonwealth.

Accountability for loss, damage, etc., of military property.

Section 105. (a) Any officer or enlisted person of the military forces of the commonwealth who damages, loses through carelessness or neglect, carries away, or unlawfully disposes of military property of the United States or of the commonwealth, shall be charged with the money value thereof, as determined by a surveying officer or board of survey detailed or appointed by the commander-in-chief to investigate and report upon the case. Such surveying officer or board of survey shall submit with the report all the evidence bearing upon the loss, damage or disposition of the property.

(b) When military property loaned by the United States government to the commonwealth has suffered loss or damage, the amount of such loss or damage shall be paid to the United States government by the commonwealth on approval of the adjutant general, by withholdings authorized from pay and allowances due the responsible officers of the armed forces of the commonwealth, or from sums paid to the commonwealth by the adjutant general on account of such loss or damage and collected by him from officers of the armed forces responsible therefor, or from their bondsmen.

Court-martial for malicious damage, etc., to military property.

Section 106. Any officer or enlisted person who willfully or maliciously damages, defaces or destroys any military property of the United States or of the commonwealth, or who carries away or unlawfully disposes of such property, or who retains in his possession such property and neglects or refuses to return it when so ordered, or who uses it in violation of the regulations or law, or who fails satisfactorily to account for it, shall be punished as a court-martial may direct.

Penalty for unlawful purchase.

Section 107. Whoever knowingly purchases, retains or has in his possession any item of military property of the United States or of the commonwealth, unless the same shall have been issued to him, or is in his possession in accordance with law, shall be punished by a fine not exceeding ten times the value thereof.

Surety bond from certain officers, required.

Section 108. Any officer of the armed forces of the commonwealth to whom monies or public property are at any time issued may be required to give bond to the commonwealth, in such amount and with such surety or sureties as may be determined by the commander-in-chief, conditioned upon the faithful performance of his duties, accounting properly for all monies or property received by virtue of his assignment and duties during the term of such bond, and turning over to his immediate successor, or other officer designated by the commander-in-chief, all records, reports,

monies or property for which he is accountable as provided for under section one hundred and twelve.

Section 109. The adjutant general may arrange for such schedule bond as he deems advisable to take the place of individual bonds required by law from any officer or officers of the armed forces of the commonwealth. Each such schedule bond shall be with surety satisfactory to the commander-in-chief, and conditioned that the officers holding the positions specified in said bond shall faithfully perform the duties of their respective offices; and it shall contain such other conditions or provisions as may be required by law.

Schedule bond may be substituted for individual bond.

Section 110. The premium due to any surety company for acting as surety on any bond given under the provisions of sections fifteen, ninety-six, one hundred and eight and one hundred and nine shall be paid by the commonwealth.

Payment of premiums.

Section 111. (a) An officer shall be responsible for military property of the United States and of the commonwealth received by him, and shall not sell, loan or transfer it or any part of it, without the authority of the commander-in-chief; and shall be liable to the commonwealth for all such property defaced, injured, destroyed or lost by his neglect or default, or for its value, to be recovered in an action of tort brought by the state judge advocate in the name of the commonwealth.

Responsibility of officer entrusted with military property.

Liability therefor.

(b) Commissioned officers shall exercise the strictest care and vigilance for the preservation of the individual and unit clothing and equipment and other property furnished their commands; and, in case of any loss thereof or damage thereto by their neglect or default, they shall be liable to such punishment as a court-martial may direct.

(c) When any officer or enlisted person neglects or refuses to return any military property of the United States or of the commonwealth or of any unit, or to account satisfactorily for it to the officer responsible for its custody, or to the officer ordered to receive it, such custodian or officer may make a written complaint directly to the commissioner of public safety, describing the missing property, and thereupon the state police shall make diligent search for the property, and shall take possession of all such property and turn the same over to the officer responsible for its custody.

Section 112. (a) An officer of the military forces of the commonwealth, upon vacating an office, shall turn over to his immediate successor, or other officer designated by the commander-in-chief, all records, reports and military property in his possession belonging or in any way pertaining to such office.

Disposition of records, property, etc., upon vacating office.

(b) Upon the disbandment of any unit which has received military property for military use, the officers responsible for such property shall return it to the officer ordered to receive it.

(c) Until such officer responsible for military property or his legal representative receives from the adjutant general notice that the property accounts of such officer have been

found correct, the liability of such officer or of his estate for military property shall continue. Upon the death or desertion of an officer responsible for military property his immediate commanding officer shall at once cause such property to be collected, and a correct inventory made by physical count and examination. Such inventory shall be forwarded to the adjutant general, and compensation for any shortage may be recovered as provided in subsection (a) of section one hundred and eleven.

Inspection and condemnation of military property, regulated.

Section 113. A state surveying officer or a board of officers designated by the commander-in-chief shall inspect and condemn military property of the commonwealth unfit for use. No such property shall be sold until it has been inspected and condemned, and the condemnation approved by the commander-in-chief, except that subsistence stores of a perishable nature, which would spoil before action could be taken by the state surveying officer or a board as above provided, may be sold, or given to a non-sectarian charitable institution by the officer responsible therefor, after survey by an officer detailed by the commanding officer of the organization. The report of the survey, approved by the commanding officer, shall be forwarded by the responsible officer. The proceeds of any sales made hereunder shall be paid to the commonwealth.

Leasing of military property to United States, authorized.

Section 114. The governor, with the advice and consent of the council, may lease to, or permit to be used by, the armed forces of the United States, military property belonging to the commonwealth, upon such terms and conditions as will fully protect the interests of the commonwealth.

Ownership of personal property by military units, permitted.

Section 115. Any unit of the military forces of the commonwealth may own personal property, to be under the control of the active members thereof; and the commanding officer of any such unit may recover in his own name for its use, in any county where such unit or part thereof is located, any debts or effects belonging to it, or damages for injury to such property. No suit pending in his name shall be abated by his ceasing to be commanding officer of the unit; but his successor shall be admitted to prosecute the suit.

Acceptance of gifts or bequests for military use, permitted.

Section 116. The adjutant general, with the approval of the governor and council, may accept on behalf of the commonwealth any gift or bequest of personal property to or for the use of the military forces of the commonwealth, and shall forthwith transfer any money or securities so received to the state treasurer who shall administer the same as provided in section seventeen A of chapter ten.

Certain cities and towns to provide military facilities, etc.

XI. ARMORIES, AIR INSTALLATIONS AND ARMORY COMMISSION.

Section 117. Cities and towns shall provide for units of the armed forces of the commonwealth not provided with a state armory or air installation, and permanently stationed within their limits, adequate facilities, including a suitable hall for the purpose of drill, and suitable rooms, properly

equipped, annexed thereto for the assemblies of such units, for administrative work, and for the safekeeping of military property. They shall provide for such facilities the necessary fuel, lights, water, janitor service and necessary repairs, or shall make a reasonable monetary allowance therefor to the commonwealth.

Where two or more units of the armed forces of the commonwealth are permanently stationed in the same city or town, the city or town may, instead of providing each with a suitable hall for drill, provide one or more halls to be used by the units in common.

Any city or town failing to comply with this section shall forfeit to the commonwealth a sum not exceeding five thousand dollars for each year, for each unit, during which such failure continues, to be recovered upon an information in equity brought in the superior or supreme judicial court by the attorney general at the relation of the adjutant general. Any amount so forfeited shall be credited to the armory appropriation for the fiscal year in which the forfeiture occurs.

Penalty for non-compliance.

Section 118. For each armory, air installation or adequate facility maintained by a city or town, or privately owned, there shall annually be allowed and paid by the commonwealth such rental as has been mutually agreed upon.

Rentals.

Section 119. The mayor or city manager of a city, or the selectmen of a town, providing an armory, air installation or adequate facilities for the use of the armed forces of the commonwealth, shall annually submit, on or before June first, to the state quartermaster, through the senior commanding officer stationed therein, a bill for the rental thereof. All such bills shall give the designation and location of each armory, air installation or facility and the designation of each unit quartered therein. The state quartermaster shall annually, not later than June thirtieth, file with the state comptroller his certificate, stating the sum allowed for each armory, air installation or facility, the designation of each unit occupying it, and the city or town making the return, and thereupon he shall notify the mayor or selectmen of the sum allowed, which shall be paid to the city or town.

Payment of certain rentals by commonwealth, regulated.

Section 120. When any armory or air installation is furnished by the commonwealth in any city or town, the adjutant general shall notify the city or town where such armory or air installation lies, and thereupon all obligations of said city or town as to said armory or air installation under section one hundred and seventeen, and all allowances and payments by the commonwealth for rent, shall cease, as to the units quartered in said armory or air installation.

Obligation of city or town to furnish facilities, when ended.

Section 121. Cities and towns shall provide and maintain for units of the armed forces of the commonwealth permanently stationed within the limits of their respective cities or towns, a suitable outdoor range for small arms practice. In lieu thereof, the city or town shall annually pay to the units located within its limits, such amounts as may annually be determined by the adjutant general to defray the

Maintenance of certain outdoor firing ranges by cities and towns, required.

costs of transportation, meals, target hire and other necessary expenses in connection with annual small arms firing, not exceeding seven dollars per person enrolled therein as of December thirty-first in each year; provided, however, that no payments shall be made by the cities and towns under this section if sufficient sums are provided by the federal or state governments for such purposes.

Penalty for non-compliance.

Any city or town failing to comply with the above requirements shall forfeit to the commonwealth a sum not exceeding five thousand dollars per unit stationed therein for each year during which such failure continues, to be recovered upon an information in equity brought in the superior or supreme judicial court by the attorney general at the relation of the adjutant general. Any amount so forfeited shall be credited to the appropriation for small arms practice for the fiscal year in which the forfeiture occurs. The above cities and towns may acquire land for ranges by purchase or lease, or by eminent domain under chapter seventy-nine, and may raise money by taxation or otherwise for this purpose.

Use of armories and air installations, regulated.

Section 122. (a) Armories and air installations provided for the armed forces of the commonwealth shall be used by them for the military purposes or purposes incidental thereto designated by the commander-in-chief. Any state armory or air installation when not in use for military purposes may be used without charge and subject only to rules and regulations promulgated by the commander-in-chief for social activities or athletics by military units stationed in such armory or air installation. Non-military use of an armory under this section shall not be permitted if it interferes with its military use.

(b) Any armory or air installation may be used for the purposes set forth in subsections (c) and (e) in accordance with terms and conditions prescribed by the commander-in-chief, upon application therefor to the adjutant general through the military custodian of the armory or air installation. No such application shall be granted unless it is approved by the military custodian and the adjutant general and contains a certificate from each unit commander whose drill or other military duty is to be changed or modified by such use, stating that he approves the application and that such change or modification will not in any way be detrimental to his unit or to its training, and further stating in detail the manner in which said change or modification is to be effected. Such applications may, after the lapse of one year from the date of their receipt, be destroyed or disposed of by order of their lawful custodian, and any proceeds received in the course of their disposal shall be paid to the commonwealth.

(c) Subject to subsection (b), armories or air installations may be used temporarily for the following public purposes:

(1) A public meeting or hearing held by a state department, board or commission.

(2) An examination conducted by a state department, board or commission.

(3) A meeting of an organization composed of veterans of the wars of the United States, or the Korean emergency, their auxiliaries, drill teams, bands and drum corps of organizations of veterans, a board of trade, a chamber of commerce, or a meeting to raise funds for any non-sectarian charitable or non-sectarian educational purpose.

(4) A meeting to raise funds for a benefit association of policemen or firemen.

(5) Elections, primaries or caucuses, and town meetings.

(6) A meeting or rally of a political party or a municipal party, as defined by section one of chapter fifty, conducted by the duly constituted local committee of such party; provided, that no party shall be permitted to use the same armory more than twice in the same year.

(7) A meeting of any organization of boys and girls under eighteen years of age, or of any student military organization the purpose of which is to prepare the members thereof for military service. Upon application to the commander-in-chief and on terms and conditions prescribed by him such organizations may be permitted to use for parade or drill purposes such grounds owned by the commonwealth as are used by the armed forces.

(d) Compensation for the use of any armory or air installation under subsection (c) shall be fixed by the adjutant general with the approval of the commander-in-chief, and shall be at least sufficient to cover all expenses of lighting, heating and guarding the armory or air installation, and similar expenses. Such compensation shall be paid to the adjutant general, who shall pay the same to the commonwealth.

(e) Subject to subsection (b) an armory or air installation may be used for:

(1) Athletic contests and social or civic activities conducted by responsible organizations or associations.

(2) For a period not exceeding three days for any exhibition of the products of labor, agriculture or industry, including any automobile exhibition conducted by a responsible organization, and, for the purpose of decorating the premises, for such additional time immediately preceding said period, not exceeding eighteen hours, as may be approved by the military custodian and the adjutant general, and for the purpose of removing decorations, exhibits or equipment, for such additional time immediately following said period, not exceeding eighteen hours, as may so be approved; provided, that the compensation for such uses shall in no case be less than the fair rental value, for the entire period during which the armory or air installation is occupied by any such exhibit or equipment, of halls of a similar nature in the same or a similar city or town, together with a sum sufficient to cover the expenses of providing such guards and labor as may be necessary to protect the armory or air installation while so used and to remove and replace items of military

equipment while so used. Subject to the foregoing limitation, such compensation shall be fixed by the adjutant general with the approval of the commander-in-chief and shall be paid as provided in subsection (d).

(f) Each organization using an armory or air installation under subsection (c) or (e) shall, under rules and regulations prescribed by the commander-in-chief, pay for any damage to or loss of any property or equipment and for any personal injury for which the adjutant general or other state official may be legally liable. Said rules and regulations may also require that such organization shall file with the adjutant general a bond in such form and amount and containing such conditions as said rules and regulations may prescribe.

Control of
certain build-
ings during
military
occupation.

Section 123. Every officer whose unit occupies, or assembles or drills in any armory, or air installation, drill hall or building used according to law for that purpose shall have control of such premises during the period of occupation, subject to orders of his superior officers, and any person intruding contrary to his orders or to the orders of his superior officers, or who interrupts, molests, obstructs or insults the troops or any of them so occupying such premises, may be ejected, forcibly if necessary, or may be dealt with as provided in sections sixty-five and sixty-six for like offences, at the discretion of such officer or of his superior officers, but in armories not classified as state armories reasonable inspection of the premises may be made by the mayor or city manager or the selectmen, or the owners of the premises.

Operation
of certain
apparatus in
armories, etc.,
authorized.

Section 124. An officer or enlisted person of the armed forces of the commonwealth licensed under chapter one hundred and forty-three, may, in any armory or air installation or other place permanently occupied by the commonwealth for military purposes, operate any cinematograph or similar apparatus owned or controlled by the commonwealth, without obtaining any special license required by law; provided, that all other laws of the commonwealth and the regulations of the state police relative to the use of the cinematograph or similar apparatus are complied with.

Armory
commission.

Section 125. The armory commission provided for in section eighteen of chapter six shall have full supervision and control of the construction of all armories or air installations taken, purchased or erected by the commonwealth, and on completion and acceptance of any such armory or air installation the care and maintenance thereof shall devolve upon the state quartermaster.

Armories or air installations built or purchased by the armory commission or its predecessors shall be known as state armories and state air installations.

All such armories or air installations shall be under the control of the commander-in-chief and shall be cared for and maintained by the commonwealth, and the necessary expenditures for care and maintenance shall be made by the state quartermaster subject to the approval of the adjutant general.

Section 126. The armory commission shall rebuild, remodel or repair state armories or air installations injured or destroyed by fire, and may reconstruct, remodel, enlarge or otherwise improve existing state armories, or air installations if it deems the needs of the service so require, and shall construct additional armories or air installations until the armed forces of the commonwealth shall be provided with adequate quarters.

Powers and duties.

It shall designate the location of armories and air installations so to be constructed and shall thereupon, in behalf of the commonwealth, take by eminent domain under chapter seventy-nine, or acquire by purchase or otherwise, suitable lots of land in the respective cities or towns designated, and shall erect, furnish and equip thereon armories or air installations sufficient for one or more units of the armed forces of the commonwealth as it deems necessary, but no land shall be acquired and no buildings erected, reconstructed, remodeled or enlarged until the site and plans thereof, and the total amount to be authorized therefor, have been approved by the governor and council.

It may, in behalf of the commonwealth, and with the approval of the governor and council, take by eminent domain under chapter seventy-nine, or acquire by purchase or lease, land suitable for ranges for target practice for the armed forces of the commonwealth and upon such land may, with the approval of the governor and council, erect such buildings and construct such facilities as may be needed.

Land acquired by purchase under this section shall be paid for by the commonwealth upon the execution of such a release or conveyance as shall be prescribed by the attorney general.

It may, in behalf of the commonwealth, and with the approval of the governor and council, dispose of an armory or air installation, whenever it deems that the continued existence of such armory or air installation no longer suitably or efficiently serves the purposes of the armed forces of the commonwealth either due to obsolescence or changes in the defense requirements.

Section 127. The armory commission may, by agreement with the mayor or city manager of any city or the selectmen of any town owning an armory, air installation or outdoor target range, determine the value of the land and buildings, and on approval of such agreement by the governor and council may purchase said armory, air installation or outdoor target range in behalf of the commonwealth, and thereupon title to the land and buildings so purchased shall vest in the commonwealth.

Purchase of municipally owned armories, installations, etc., authorized.

The armory commission may, by agreement with the owners of the armory of the First Corps of Cadets in Boston and of the armory of the Lawrence Light Guard in Medford, determine the value of the land and buildings, and on approval of such agreement by the governor and council may purchase in behalf of the commonwealth either or both

of said armories, and thereupon title to the land and buildings so purchased shall vest in the commonwealth.

Expenditures.

Section 128. To meet the expenses incurred under sections one hundred and twenty-six and one hundred and twenty-seven, the armory commission may expend such amounts as are appropriated therefor by the general court, together with such armory loan funds as may from time to time be authorized specifically by the general court, and may accept from the federal government, and may expend, subject to appropriation, any funds or contributions toward the erection, alteration or maintenance of, or the making of any addition to, any armory, air installation, or facility; provided, that all title, interest and control therein remains vested in the commonwealth.

XII. GENERAL PROVISIONS.

Maintenance of armories by private organizations, prohibited.

Section 129. Except as provided in section one hundred and thirty, no body of men shall maintain an armory or associate together as a company or organization for drill or parade with firearms, or so drill or parade, except the armed forces of the United States, the armed forces of the commonwealth, and the Ancient and Honorable Artillery Company of Massachusetts; provided, that any veteran association composed wholly of past members of the militia of the commonwealth may maintain an armory for the use of the organizations of the militia to which its members belonged.

Exceptions.

Certain drills and parades, permitted.

Section 130. The commander-in-chief may prescribe rules and regulations under which bodies of citizens of the United States, or foreign troops to whose admission to the United States the government of the United States has consented, may drill or parade with firearms or harmless imitations thereof. He may authorize the use by any such body of any state armory or air installation for drill or training.

Penalty.

Section 131. Whoever violates any provision of section one hundred and twenty-nine or one hundred and thirty shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than six months, or both.

Ancient and Honorable Artillery Company of Massachusetts, rights preserved.

Section 132. This chapter shall not affect the right of the Ancient and Honorable Artillery Company of Massachusetts to maintain its organization as a military company and its constitution and by-laws in so far as the same are not repugnant to the laws of the commonwealth or of the United States.

Penalty.

Section 133. Civil officers named in this chapter who neglect or refuse to obey any of its provisions shall, except as otherwise expressly provided, forfeit not less than twenty nor more than five hundred dollars.

The First Corps of Cadets and the Second Corps of Cadets, rights preserved.

Section 134. The First Corps of Cadets and the Second Corps of Cadets shall be organized as the commander-in-chief directs, and may retain their respective names, the right to wear such distinctive uniforms as may be approved from time to time by the commander-in-chief, and retain

their ancient privileges as prescribed by the act of congress known as the National Defense Act.

Section 135. The commander-in-chief may appoint delegates from the Massachusetts National Guard Association to represent the national guard, army and air, of the commonwealth at the annual conventions of the National Guard Association of the United States. The necessary expenses of the delegates so appointed from the active national guard, army or air, may be paid out of military appropriations.

Appointment of delegates to certain conventions, authorized.

SECTION 2. Nothing in section one hundred and twenty-nine or one hundred and thirty of chapter thirty-three of the General Laws, as appearing in section one of this act, shall derogate from any right, privilege, or prerogative heretofore enjoyed by any organization under the provisions of section forty-nine of chapter thirty-three of the General Laws as existing immediately prior to the effective date of this act.

Certain rights, privileges, etc., not to be abrogated.

Approved June 8, 1954.

AN ACT AUTHORIZING CERTAIN DENTISTS AND DENTAL HYGIENISTS FORMERLY EMPLOYED IN THE HEALTH DEPARTMENT OF THE CITY OF BOSTON TO BE REINSTATED SOLELY FOR THE PURPOSE OF RETIREMENT.

Chap. 591

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 2 of chapter 424 of the acts of 1954 is hereby amended by striking out the word "July", wherever it appears, and inserting in place thereof, in each instance, the word: — May.

SECTION 2. This act shall take effect upon its passage.

Approved June 8, 1954.

AN ACT AUTHORIZING THE PLACING OF THE OFFICE OF TOWN ENGINEER OF THE TOWN OF SAUGUS UNDER THE CIVIL SERVICE LAWS AND PROVIDING LIFE TENURE FOR THE INCUMBENT.

Chap. 592

Be it enacted, etc., as follows:

SECTION 1. The office of town engineer as principal head of the engineering department of the town of Saugus shall, upon the effective date of this act, become subject to the civil service laws and rules and the tenure of office of the incumbent thereof on said effective date shall be unlimited, subject, however, to said laws and rules; provided, that said incumbent shall not be required to take a further examination.

SECTION 2. This act shall take effect upon its passage.

Approved June 8, 1954.

Chap.593 AN ACT RELATIVE TO THE FIRST PARISH OF WESTWOOD AND THE FIRST PARISH OF WESTWOOD, UNITED CHURCH, AND VALIDATING AND CONFIRMING THEIR ACTS, DEEDS AND VOTES AS RELIGIOUS CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. The First Parish of Westwood, which prior to its change of name by chapter one hundred and thirty-eight of the acts of eighteen hundred and ninety-nine was called the Third Parish in Dedham, is hereby declared to have existed as a corporation duly incorporated by law until the twenty-third day of January, nineteen hundred and fifty, and all its acts, deeds and votes as a religious corporation are hereby validated and confirmed.

SECTION 2. The said First Parish of Westwood by a duly qualified vote on the twenty-eighth day of December, nineteen hundred and forty-nine, adopted a constitution, by-laws and the name "The First Parish of Westwood, United Church", to become effective upon approval of a joint session of the said First Parish of Westwood and the First Parish Church of Westwood, Congregational, a voluntary association. Said First Parish of Westwood, a religious corporation, and the said First Parish Church of Westwood, Congregational, a voluntary association, in joint session and by a duly qualified vote approved and adopted the said constitution, by-laws and the name "The First Parish of Westwood, United Church" on the twenty-third day of January, nineteen hundred and fifty, and said The First Parish Church of Westwood, United Church, is hereby declared a religious corporation and all its acts, deeds and votes as a religious corporation from said date to the effective date of this act are hereby validated and confirmed.

SECTION 3. This act shall take effect upon its passage.

Approved June 8, 1954.

Chap.594 AN ACT INCREASING THE NUMBER AND TERMS OF OFFICE OF THE COMMISSIONERS OF THE MASSACHUSETTS MARITIME ACADEMY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for changing the terms of office of the commissioners of the Massachusetts maritime academy and to provide for the immediate appointment of two additional commissioners, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 15,
§ 22, etc.,
amended.

Commissioners
of the Massa-
chusetts

SECTION 1. Chapter 15 of the General Laws is hereby amended by striking out section 22, as most recently amended by section 4 of chapter 1 of the acts of 1942, and inserting in place thereof the following section: — *Section 22.* There shall be a board of commissioners of the Massachusetts

maritime academy serving in the department and consisting of five citizens of the commonwealth, one of whom shall annually before July first be appointed by the governor, with the advice and consent of the council, for five years from said day.

maritime
academy.

SECTION 2. Upon the effective date of this act the governor shall appoint two citizens of the commonwealth to the board of commissioners of the Massachusetts maritime academy, one for a term of three years and one for a term of four years. The vacancy occurring in said board of commissioners in the year nineteen hundred and fifty-four shall be filled by appointment for a period of five years and thereafter the appointments to said board shall be in accordance with the provisions of section twenty-two of chapter fifteen of the General Laws, as amended by section one of this act.

Terms of
office, etc.

Approved June 8, 1954.

AN ACT RELATIVE TO THE EXPIRATION OF LIENS ON CERTAIN ESTATES OF DECEASED PERSONS. Chap. 595

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 65 of the General Laws, as amended by section 1 of chapter 445 of the acts of 1952, is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter.
Ed.), 65,
§ 9, etc.,
amended.

The lien created by this chapter upon any real estate or separate parcel thereof shall terminate upon the expiration of thirty years from the date of death of the deceased or upon the expiration of ten years from the date of approval by the probate court of the bond of the executor or administrator of the estate of the deceased, whichever first occurs; provided, that written notice of the said death or probate shall be given to the commissioner of corporations and taxation by the executor, administrator, trustee, surviving joint owner, donee or owner on a form provided by the commissioner, unless the commissioner of corporations and taxation shall have commenced before such termination date an action to enforce said lien and shall have filed notice of such action in the registry of deeds or land registration office for the district where the real estate lies, such notice to be filed and indexed in the name of the decedent whose property is alleged to be subject to such lien, except that in the case of the lien imposed upon any future interest such lien shall terminate upon the expiration of ten years after the right of possession or enjoyment accrues; provided, that written notice shall be given to the commissioner as above provided that said right of possession or enjoyment has accrued, unless the commissioner shall have sooner commenced an action for the enforcement of such lien and have filed similar notice with respect thereto. If any written notice to the commissioner required by this section is not received by him within one year from the date of death, or the approval of the bond of the executor or administrator,

Expiration of
liens on cer-
tain estates
of deceased
persons,
regulated.

or the accrual of a right of possession or enjoyment of a future interest, as the case may be, the period of limitation provided herein shall commence from the date of such receipt. Upon request, the commissioner shall stamp, with the date of filing, a duplicate copy of said written notice, which copy may be filed in the registry of probate in the estate of the deceased or in the registry of deeds or the district registry where the land lies, and such stamp shall be conclusive evidence that the notice was given.

Effect on
certain liens.

SECTION 2. A lien charged by chapter sixty-five of the General Laws prior to the effective date of this act shall, unless already discharged, become subject to the provisions of section nine of said chapter sixty-five, as amended by section one of this act, provided that said lien would not have expired prior to July first, nineteen hundred and fifty-six under the provisions of said section. If said lien would expire prior to such date, said lien shall expire on July first, nineteen hundred and fifty-six unless the commissioner shall have commenced before that date an action to enforce said lien as provided in said section nine, regardless of lack of notice to the commissioner as required by said section.

Same
subject.

SECTION 3. In the case of any such lien in effect on July first, nineteen hundred and fifty-six, the period of time of the existence of the lien prior to that date shall be deducted from the limitation period provided by said section nine of chapter sixty-five of the General Laws as amended by section one of this act.

Approved June 8, 1954.

Chap.596 AN ACT PROVIDING FOR IMPROVEMENTS TO THE OUTLET BROOK FROM MUSQUASHIAT POND IN THE TOWN OF SCITUATE.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to dredge a channel from Musquashiat pond to Gulf river, to construct a new sluiceway in said channel, to construct a new bridge at Hatherly road and to do such incidental work in said channel, all within the town of Scituate, as may be required to convert the said pond into a salt water pond. The town of Scituate, upon completion of the said work, shall maintain and operate said structures and channel. The said department may expend for the said structures, channel and incidental work such sums as are available or as may be made available therefor.

Approved June 8, 1954.

Chap.597 AN ACT MAKING PERMANENT CERTAIN TEMPORARY POSITIONS IN THE GOVERNMENT OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section six of chapter four hundred and fifty-three of the acts of nineteen hundred and fifty-four or of any provision of any supplementary

appropriation act for the fiscal year nineteen hundred and fifty-five, the number of permanent positions duly approved with reference to each item thereby appropriated for personal services shall be increased to include, in each case, every year-round temporary position (1) for which, for a continuous period of three years or more past from January first, nineteen hundred and fifty-four, compensation has been duly paid or authorized under the same or a like item in prior appropriation acts and (2) which exists in connection with the maintenance of any agency of the commonwealth established, or the performance of any service by the commonwealth required or provided for, by virtue of any general act the operation of which is not expressly limited as to time. The director of personnel shall, by title and code number and subject to approval of the commission on administration and finance, certify to the budget commissioner, the comptroller, the director of civil service, each appointing authority concerned, and the house and senate committees on ways and means, each such position to be so included.

The provisions of this act shall not apply to any present or future temporary position created by any general or special act the operation of which is expressly limited as to time nor for any such position in a service which by its nature or intent is temporary.

Approved June 8, 1954.

AN ACT RELATING TO CARE AND TREATMENT OF THE AGING AND MENTALLY ILL. Chap. 598

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 123 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following two sentences:— The department may construct and develop hospitals or portions thereof under its control for use as homes or hospitals for aging persons who are not mentally ill. Admissions of patients to said hospitals or homes shall be voluntary and not by commitment and said hospitals or homes, although under the supervision and control of said department, shall be deemed to be public medical institutions within the meaning of section one B of chapter one hundred and eighteen A and section one of chapter one hundred and eighteen D.

G. L. (Ter. Ed.), 123, § 7, amended.
Care and treatment of the aging, regulated.

SECTION 2. Section 16 of said chapter 123, as most recently amended by chapter 189 of the acts of 1954, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:— The cost to the commonwealth of the board of such patients supported at the public expense shall not exceed a weekly amount for each patient as determined by agreement made annually on or before October first between the department and the commissioner of administration, which amount shall not exceed the weekly cost of maintaining any such patient in a state hospital.

G. L. (Ter. Ed.), 123, § 16, etc., amended.

Cost of board to commonwealth, limited.

G. L. (Ter. Ed.), 123, § 28, etc., amended.

Qualifications required of superintendents of certain state hospitals.

Removal of superintendent.

Appeal.

G. L. (Ter. Ed.), 123, § 96, etc., amended.

Support of inmates of state hospitals.

SECTION 3. Said chapter 123 is hereby further amended by striking out section 28, as most recently amended by chapter 638 of the acts of 1945, and inserting in place thereof the following section: — *Section 28.* When a vacancy in the position of superintendent of a state hospital occurs, the trustees shall appoint to such vacancy from a panel of not less than three names submitted by the commissioner, a physician who is a diplomate in psychiatry of the American Board of Psychiatry and Neurology, Incorporated, who shall have had at least four years' administrative experience in a state or federal hospital for mental diseases or in any equivalent psychiatric organization, or at least three years' experience as aforesaid, and at least one year's experience in the department controlling such hospital. If the trustees fail to make an appointment from the above-mentioned panel within a period of sixty days from the submission to them of such panel, the commissioner shall appoint a superintendent qualified as provided above. The superintendent shall appoint and may remove a treasurer and assistant treasurer in each state hospital, each of whom shall give bond for the faithful performance of his duties. The provisions of section forty-two of chapter thirty-one shall apply to the appointment of such treasurers and assistant treasurers. The superintendent shall appoint and may remove assistant physicians and necessary subordinate officers and other persons. A superintendent of a state hospital may be removed by the trustees thereof with the approval of the department, for inefficiency, failure to perform duties properly or other good cause. A superintendent sought to be so removed shall be notified of the proposed action, shall be furnished with a copy of the reasons therefor and shall be given a hearing before the trustees and be allowed to answer the charges preferred against him, either personally or by counsel. Within twenty days after the removal hereinbefore provided for, said superintendent may bring a petition in the superior court within and for the county wherein he resides, praying that the action of said trustees may be reviewed by the court, and, after such notice to the trustees as the court deems necessary, it shall review such action, hear the witnesses, and shall affirm the decision of the trustees unless it shall appear that such decision was made without proper cause or in bad faith, in which case said decision shall be reversed and the petitioner be reinstated in his office without loss of compensation. The decision of the court shall be final and conclusive upon the parties.

SECTION 4. Section 96 of chapter 123 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 41 of chapter 351 of the acts of 1941, and inserting in place thereof the following paragraph: — The price for the support of inmates of state hospitals, except for insane inmates of the Tewksbury state hospital and infirmary and of the Bridgewater state hospital shall be determined for each person by the department on the

basis of the actual weekly cost of care as determined by the commission on administration and finance annually on or before October first in each year for each person, and may be recovered of such persons or of the husband, wife, father, mother or child, if of sufficient ability. A married woman shall be subject to the said liability as though sole. Such action shall be brought by the attorney general in the name of the state treasurer.

Contribution from certain persons, when and how recoverable.

SECTION 5. Section 29 of said chapter 123, as amended by section 13 of chapter 486 of the acts of 1938, is hereby further amended by adding at the end the following clause: —

G. L. (Ter. Ed.), 123, § 29, etc., amended.

(f) They may encourage the establishment of mental health centers or clinics in any community and inform the public of measures that may be taken to prevent mental disease and thus reduce mental hospital admissions.

Mental health centers or clinics, establishment of.

Approved June 8, 1954.

AN ACT RELATIVE TO THE BASIS OF DETERMINATION OF GAIN OR LOSS REALIZED FROM THE SALE OF CAPITAL ASSETS UNDER THE INCOME TAX LAW.

Chap. 599

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make immediately effective the provisions thereof, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Subsection (c) of section 5 of chapter 62 of the General Laws, as most recently amended by section 1 of chapter 481 of the acts of 1935, is hereby further amended by striking out, in lines 11 and 12, the words “, when acquired by purchase, or value when acquired by gift,” — and by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 62, § 5, etc., amended.

As used in this subsection the term “cost” shall mean, in the case of a purchase by the taxpayer, the purchase price of the property; in the case of property acquired by gift prior to July first, nineteen hundred and fifty-four, the cost shall be the fair market value at the date of the gift; in the case of property acquired by gift after June thirtieth, nineteen hundred and fifty-four, the cost shall be the cost to the donor or the last preceding owner by whom it was not acquired by gift, or the fair market value at the date of the gift, whichever is lower; and in the case of property acquired by bequest or inheritance, the cost shall be the fair market value of the property at the date acquired.

“Cost”, defined for capital asset purposes under the income tax law.

SECTION 2. Section 7 of said chapter 62, as amended, is hereby further amended by striking out the second and third paragraphs, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraphs: —

G. L. (Ter. Ed.), 62, § 7, etc., amended.

In determining gains or losses realized from the sale of capital assets, the basis of determination in case of property owned on January first, nineteen hundred and sixteen, shall

Determination of gains or losses realized from sale of

capital assets,
regulated.

be the value on that date or the cost thereof, whichever is higher, and in case of property acquired by purchase thereafter, except as otherwise expressly provided, the cost thereof. If the property other than stock dividends in new stock of the company issuing the same and rights to subscribe to securities was acquired by gift prior to July first, nineteen hundred and fifty-four, the basis of determination of the gain or loss shall be the fair market value on the date when it was so acquired. If the property other than stock dividends in new stock of the company issuing the same and rights to subscribe to securities was acquired by gift after June thirtieth, nineteen hundred and fifty-four, the basis of determination of the gain or loss shall be the cost to the donor or the last preceding owner by whom it was not acquired by gift, or the fair market value at the date of the gift, whichever is lower. If the property other than stock dividends in new stock of the company issuing the same and rights to subscribe to securities was acquired by devise, bequest or inheritance, the cost shall be the fair market value of the property on the date when it was so acquired.

In the case of real or tangible personal property acquired by purchase, the foregoing basis shall be diminished by the amount of depreciation allowable to the taxpayer under the provisions of this chapter and corresponding provisions of earlier laws. In the case of real or tangible personal property acquired by gift, if the foregoing basis is determined by reference to cost to the donor or previous owner who did not acquire the property by gift, such basis shall be further reduced by the amount of depreciation allowable to such previous owner or owners under the provisions of this chapter and corresponding provisions of earlier laws. In the case of intangible personal property, the foregoing basis shall be diminished by any amounts received in distribution of capital.

Approved June 9, 1954.

Chap. 600 AN ACT AUTHORIZING THE CITY OF MALDEN TO BORROW MONEY FOR THE PURPOSE OF CONSTRUCTING A PUBLIC PARKING PLACE, INCLUDING DRAINAGE AND INSTALLATION OF LIGHTING FACILITIES, AND AUTHORIZING THE INSTALLATION OF PARKING METERS ON SUCH PARKING PLACE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing a public parking space the city of Malden may, for such purpose, acquire by purchase or otherwise, or take by eminent domain under the provisions of chapter seventy-nine or eighty A of the General Laws, land and buildings located on Garnet and Waverly streets or either of them or any other streets in said city as the city council may determine. Said city may for the purposes of this act borrow, from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding in the aggregate two hundred and fifty thousand dollars, and

may issue bonds or notes therefor which shall bear on their face the words, City of Malden, Public Parking Loan, Act of 1954. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be within the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. The city may install parking meters in said off-street parking areas and the receipts thereof shall be applied annually first, to reimbursing the city for its annual payments on account of the above mentioned loan and secondly, for any of the purposes for which parking meter receipts may be used under sections twenty-two B and twenty-two C of chapter forty of the General Laws, including the taking by eminent domain under chapters seventy-nine and eighty A of the General Laws of additional parking lots and the care and maintenance of the same.

SECTION 3. Upon liquidation of the loan authorized by section one, receipts from said parking meters may be used for the purposes prescribed by sections twenty-two B and twenty-two C of chapter forty of the General Laws, or for the purposes of acquiring such other off-street parking spaces in said city by purchase, or otherwise, or by eminent domain, as the city council shall determine.

SECTION 4. Said city may acquire said meters in the manner provided by section twenty-two A of chapter forty of the General Laws.

SECTION 5. This act shall take effect upon its passage.

Approved June 9, 1954.

AN ACT AUTHORIZING THE STATE TREASURER TO ISSUE A NEW CHECK TO THE ESTATE OF FELIX STRUNGIS. *Chap.601*

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section thirty-two of chapter twenty-nine of the General Laws, the state treasurer is hereby authorized and directed to issue a new check in lieu of check number 74060, dated February seventh, nineteen hundred and forty-six, payable to the order of Estate of Felix Strungis, Mary Balitch ADMX c/o Charles D. Mahoney, Esq., 423 Bay State Building, Lawrence, Massachusetts, in the amount of one hundred and forty-nine dollars and forty-seven cents.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1954.

Chap.602 AN ACT RELATIVE TO THE ELECTION OF CERTAIN OFFICIALS
IN THE CITY OF BEVERLY BY THE BOARD OF ALDERMEN.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 14 of chapter 542 of the acts of 1910, as amended by section 6 of chapter 29 of the acts of 1936, is hereby further amended by striking out, in line 2, the word "odd-numbered" and inserting in place thereof the word: — even-numbered, — so as to read as follows: — The board of aldermen shall in the month of January in each even-numbered year, as soon after its organization as may be, elect a city clerk, a city collector of taxes, a city messenger, a city treasurer, a city physician and a clerk of committees, all for the term of two years from the first Monday in said January and until their respective successors are qualified.

SECTION 2. The terms of office of the city clerk, city collector of taxes, city messenger, city treasurer, city physician and the clerk of committees, elected by the board of aldermen in the city of Beverly in January, nineteen hundred and fifty-three, under the provisions of section fourteen of chapter five hundred and forty-two of the acts of nineteen hundred and ten, as existing prior to the effective date of this act, are hereby extended to the first Monday of January in the year nineteen hundred and fifty-six, and until their respective successors are qualified.

SECTION 3. This act shall take effect upon its passage.

Approved June 9, 1954.

Chap.603 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF
CERTAIN COUNTIES, THEIR DEPARTMENTS, BOARDS, COM-
MISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES,
FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST
AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIRE-
MENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID
COUNTIES.

Emergency
preamble.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of certain counties, their departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the condition specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds

and the approval thereof for the year nineteen hundred and fifty-four: —

BARNSTABLE COUNTY.

Item	
1.	For interest on county debt \$6,375 00
2.	For reduction of county debt 37,348 00
3.	For county commissioners, salaries and expenses 16,100 00
4.	For transportation and expenses of county and acting commissioners 700 00
5.	For clerk of courts, salaries and expenses 16,366 00
6.	For county treasurer, salaries and expenses 15,086 90
7.	For sheriff, salary and expenses 8,721 50
8.	For registry of deeds, salaries and expenses 89,049 50
8a.	For registry of probate, salaries and expenses 6,980 00
9.	For law libraries, salaries and expenses 2,500 00
10.	For highways, including state highways, bridges and land damages 128,100 00
12.	For criminal costs in superior court 23,315 84
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees 18,160 00
14.	For district courts, salaries and expenses 55,183 30
15.	For medical examiners and commitments of insane 3,678 00
16.	For jails and houses of correction, maintenance and operation 115,535 00
17.	For training school 500 00
18.	For court houses and registry buildings, maintenance and operation 17,706 40
20.	For county aid to agriculture, maintenance and operation 36,215 00
22.	For hospital or sanatorium 432,435 00
23.	For county health service 35,975 00
24.	For non-contributory pensions 1,273 00
25.	For contributory retirement systems and supervisory expenses 11,653 70
26.	For miscellaneous and contingent expenses 9,018 57
27.	For unpaid bills of previous years 500 00
28.	For reserve fund 10,000 00
28a.	For reserve for salary adjustments 4,900 00
29.	For advertising recreational advantages of the county 25,000 00
30.	For state fire patrol 4,000 00
31.	For maintenance forest fire apparatus 1,000 00
32.	For police training school and bureau of criminal identification 13,225 00
33.	For police radio station 26,872 00
36.	For beach commission 600 00
37.	For seal coating driveways 3,500 00
38.	For airplane 8,969 00

And the county commissioners of Barnstable county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$652,891 63

BERKSHIRE COUNTY.

1.	For interest on county debt \$1,650 00
3.	For county commissioners, salaries and expenses 15,867 50
4.	For transportation and expenses of county and acting commissioners 1,000 00

Item		
5.	For clerk of courts, salaries and expenses	\$20,455 00
6.	For county treasurer, salaries and expenses	9,144 00
7.	For sheriff, salary and expenses	6,350 00
8.	For registries of deeds, salaries and expenses	82,996 00
8a.	For registry of probate, expenses	4,510 00
9.	For law libraries, salaries and expenses	7,079 00
10.	For highways, including state highways, bridges and land damages	180,799 00
11.	For examination of dams	300 00
12.	For criminal costs in superior court	24,515 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	29,455 00
14.	For district courts, salaries and expenses	109,766 98
15.	For medical examiners and commitments of insane	9,000 00
16.	For jails and houses of correction, maintenance and operation	96,813 50
17.	For training school	2,000 00
18.	For court houses and registry buildings, mainte- nance and operation	40,234 95
20.	For county aid to agriculture, maintenance and operation	43,064 50
21a.	For state reservation, maintenance and operation, Mount Greylock	31,536 98
21b.	For state reservation, maintenance and operation, Mount Everett	3,737 00
22.	For hospital or sanatorium	79,019 95
25.	For contributory retirement systems and super- visory expenses	20,853 76
26.	For miscellaneous and contingent expenses	2,500 00
27.	For unpaid bills of previous years	500 00
28.	For reserve fund	6,000 00
28a.	For reserve for salary adjustments	1,900 00
29.	For advertising recreational advantages of the county	15,000 00
30.	For forest development in co-operation with the state	1,500 00
32.	For Dutch elm disease	6,000 00
34.	For forest fire patrol	4,000 00

And the county commissioners of Berkshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$681,501 59

BRISTOL COUNTY.

1.	For interest on county debt	\$10,392 50
2.	For reduction of county debt	40,000 00
3.	For county commissioners, salaries and expenses	14,100 00
4.	For transportation and expenses of county and acting commissioners	500 00
5.	For clerk of courts, salaries and expenses	51,692 00
6.	For county treasurer, salaries and expenses	31,880 00
7.	For sheriff, salary and expenses	8,225 00
8.	For registries of deeds, salaries and expenses	155,417 01
8a.	For registry of probate, salaries and expenses	16,540 00
9.	For law libraries, salaries and expenses	21,650 00
10.	For highways, including state highways, bridges and land damages	189,990 00
12.	For criminal costs in superior court	96,803 85

Item		
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	\$74,000 00
14.	For district courts, salaries and expenses	226,836 78
15.	For medical examiners and commitments of insane	28,150 00
16.	For jails and houses of correction, maintenance and operation	182,400 00
17.	For training school	3,000 00
18.	For court houses and registry buildings, maintenance and operation	168,230 00
20.	For agricultural school, maintenance and operation	281,436 00
24.	For non-contributory pensions	10,875 15
25.	For contributory retirement systems and supervisory expenses	37,981 57
26.	For miscellaneous and contingent expenses	20,952 65
27.	For unpaid bills of previous years	2,500 00
28.	For reserve fund	10,000 00
28a.	For reserve for salary adjustments	7,700 00
29.	For county forest fire patrol	4,000 00

And the county commissioners of Bristol county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$1,144,280 28

DUKES COUNTY.

1.	For interest on county debt	\$2,200 00
2.	For reduction of county debt	22,500 00
3.	For county commissioners, salaries and expenses	5,250 00
4.	For transportation and expenses of county and acting commissioners	350 00
5.	For clerk of courts, salaries and expenses	6,205 00
6.	For county treasurer, salaries and expenses	2,925 00
7.	For sheriff, salary and expenses	2,540 00
8.	For registry of deeds, salaries and expenses	9,815 50
8a.	For registry of probate, expenses	980 00
9.	For law libraries, salaries and expenses	600 00
10.	For highways, including state highways, bridges and land damages	24,450 00
12.	For criminal costs in superior court	2,975 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	1,500 00
14.	For district courts, salaries and expenses	12,327 50
15.	For medical examiners and commitments of insane	500 00
16.	For jails and houses of correction, maintenance and operation	8,625 00
18.	For court houses and registry buildings, maintenance and operation	3,125 00
20.	For county aid to agriculture, maintenance and operation	11,770 00
21a.	For state reservation, maintenance and operation, Gay Head	600 00
21b.	For state reservation, Indian burial ground	400 00
25.	For contributory retirement systems and supervisory expenses	1,923 88
26.	For miscellaneous and contingent expenses	2,552 00
27.	For unpaid bills of previous years	1,500 00
28.	For reserve fund	3,500 00

Item		
28a.	For reserve for salary adjustments	\$200 00
29.	For advertising recreational advantages of the county	14,730 00
30.	For county rodent control	5,500 00
31.	For county airport, maintenance and operation	29,515 00
32.	For woodtick control	1,250 00
34.	For Dukes county soil conservation district	250 00

And the county commissioners of the county of Dukes county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$113,282 97

ESSEX COUNTY.

1.	For interest on county debt	\$20,350 00
2.	For reduction of county debt	209,000 00
3.	For county commissioners, salaries and expenses	32,260 00
4.	For transportation and expenses of county and acting commissioners	1,300 00
5.	For clerk of courts, salaries and expenses	80,870 00
6.	For county treasurer, salaries and expenses	32,635 00
7.	For sheriff, salary and expenses	8,315 00
8.	For registries of deeds, salaries and expenses	317,325 00
8a.	For registry of probate, salaries and expenses	10,511 00
9.	For law libraries, salaries and expenses	16,860 00
10.	For highways, including state highways, bridges and land damages	333,344 00
12.	For criminal costs in superior court	91,285 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	129,900 00
14.	For district courts, salaries and expenses	357,105 00
15.	For medical examiners and commitments of insane	28,000 00
16.	For jails and houses of correction, maintenance and operation	197,970 00
17.	For training school	165,695 00
18.	For court houses and registry buildings, maintenance and operation	160,596 00
20.	For agricultural school, maintenance and operation	451,900 00
24.	For non-contributory pensions	27,528 46
25.	For contributory retirement systems and supervisory expenses	87,222 60
26.	For miscellaneous and contingent expenses	11,150 00
27.	For unpaid bills of previous years	4,500 00
28.	For reserve fund	15,000 00
28a.	For reserve for salary adjustments	15,000 00
29.	For forest development	1,500 00
30.	For fire patrol	3,700 00
31.	For advertising recreational, industrial and agricultural advantages of the county	3,500 00

And the county commissioners of Essex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$2,080,357 00

FRANKLIN COUNTY.

Item		
1.	For interest on county debt	\$1,000 00
3.	For county commissioners, salaries and expenses .	10,305 00
4.	For transportation and expenses of county and acting commissioners	300 00
5.	For clerk of courts, salaries and expenses . . .	13,190 00
6.	For county treasurer, salaries and expenses . .	9,868 75
7.	For sheriff, salary and expenses	4,637 50
8.	For registry of deeds, salaries and expenses . .	20,862 00
8a.	For registry of probate, salaries and expenses . .	2,395 00
9.	For law libraries, salaries and expenses	5,170 00
10.	For highways, including state highways, bridges and land damages	105,275 00
11.	For examination of dams	400 00
12.	For criminal costs in superior court	14,166 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	13,800 00
14.	For district courts, salaries and expenses . . .	33,379 33
15.	For medical examiners and commitments of insane .	2,500 00
16.	For jails and houses of correction, maintenance and operation	50,478 50
17.	For training school	200 00
18.	For court houses and registry buildings, maintenance and operation	20,655 00
20.	For county aid to agriculture, maintenance and operation	39,990 00
21.	For state reservation, maintenance and operation, Mount Sugarloaf	3,075 00
22.	For hospital or sanatorium	37,612 47
23.	For preventorium, health service, Greenfield Health Camp	3,000 00
24.	For non-contributory pensions	1,500 00
25.	For contributory retirement systems and supervisory expenses	8,094 61
26.	For miscellaneous and contingent expenses . . .	4,600 00
27.	For unpaid bills of previous years	500 00
28.	For reserve fund	5,000 00
28a.	For reserve for salary adjustments	1,100 00
29.	For advertising recreational advantages of the county	6,600 00

And the county commissioners of Franklin county are hereby authorized to levy as the county tax of said county for the current year in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$344,473 60

HAMPDEN COUNTY.

1.	For interest on county debt	\$8,000 00
2.	For reduction of county debt	36,000 00
3.	For county commissioners, salaries and expenses .	22,268 00
4.	For transportation and expenses of county and acting commissioners	600 00
5.	For clerk of courts, salaries and expenses . . .	54,682 50
6.	For county treasurer, salaries and expenses . .	19,892 50
7.	For sheriff, salary and expenses	8,350 00
8.	For registry of deeds, salaries and expenses . .	138,725 00
8a.	For registry of probate, salaries and expenses . .	17,257 00
9.	For law libraries, salaries and expenses	19,485 00

Item	
10.	For highways, including state highways, bridges and land damages \$210,525 00
11.	For examination of dams 3,600 00
12.	For criminal costs in superior court 53,788 30
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees 91,500 00
14.	For district courts, salaries and expenses 325,218 44
15.	For medical examiners and commitments of insane 21,000 00
16.	For jails and houses of correction, maintenance and operation 183,348 33
17.	For training school 78,000 00
18.	For court houses and registry buildings, maintenance and operation 111,030 00
20.	For county aid to agriculture, maintenance and operation 89,220 00
21.	For state reservation, maintenance and operation, Mount Tom 30,998 07
23.	For preventorium, health service 3,000 00
24.	For non-contributory pensions 22,000 00
25.	For contributory retirement systems and supervisory expenses 35,821 30
26.	For miscellaneous and contingent expenses 8,547 57
27.	For unpaid bills of previous years 1,000 00
28.	For reserve fund 15,000 00
28a.	For reserve for salary adjustments 6,800 00
29.	For advertising recreational advantages of the county 4,600 00
30.	For Dutch elm disease 500 00

And the county commissioners of Hampden county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$1,169,819 24

HAMPSHIRE COUNTY.

1.	For interest on county debt \$950 00
3.	For county commissioners, salaries and expenses 10,145 00
4.	For transportation and expenses of county and acting commissioners 750 00
5.	For clerk of courts, salaries and expenses 19,040 00
6.	For county treasurer, salaries and expenses 13,410 00
7.	For sheriff, salary and expenses 4,868 00
8.	For registry of deeds, salaries and expenses 32,914 00
8a.	For registry of probate, expenses 3,035 00
9.	For law libraries, salaries and expenses 3,935 00
10.	For highways, including state highways, bridges and land damages 114,650 00
11.	For examination of dams 1,500 00
12.	For criminal costs in superior court 19,953 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees 24,625 00
14.	For district courts, salaries and expenses 55,281 73
15.	For medical examiners and commitments of insane 10,195 00
16.	For jails and houses of correction, maintenance and operation 74,450 40
17.	For training school 375 00
18.	For court houses and registry buildings, maintenance and operation 29,025 00

Item		
20.	For county aid to agriculture, maintenance and operation	\$45,850 00
21.	For state reservation, maintenance and operation, Mount Tom	5,401 40
21a.	For soil conservation, Hampshire county district	100 00
22.	For hospital or sanatorium	137,229 19
23.	For preventorium, health service	1,600 00
24.	For non-contributory pensions	2,064 35
25.	For contributory retirement systems and super- visory expenses	12,811 87
26.	For miscellaneous and contingent expenses	1,975 00
27.	For unpaid bills of previous years	350 00
28.	For reserve fund	5,000 00
28a.	For reserve for salary adjustments	2,600 00
29.	For advertising recreational advantages of the county	4,600 00

And the county commissioners of Hampshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes

\$482,666 92

MIDDLESEX COUNTY.

1.	For interest on county debt	\$13,750 00
2.	For reduction of county debt	250,000 00
3.	For county commissioners, salaries and expenses	34,525 00
4.	For transportation and expenses of county and acting commissioners	500 00
5.	For clerk of courts, salaries and expenses	152,745 00
6.	For county treasurer, salaries and expenses	42,370 00
7.	For sheriff, salary and expenses	8,775 00
8.	For registries of deeds, salaries and expenses	619,720 00
8a.	For registry of probate, salaries and expenses	19,350 00
8b.	For classified and consolidated indices, southern registry of deeds	25,000 00
9.	For law libraries, salaries and expenses	30,525 00
10.	For highways, including state highways, bridges and land damages	546,365 00
12.	For criminal costs in superior court	250,750 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	341,500 00
14.	For district courts, salaries and expenses	890,216 50
15.	For medical examiners and commitments of insane	62,800 00
16.	For jails and houses of correction, maintenance and operation	712,759 00
17.	For training school	205,465 00
18.	For court houses and registry buildings, mainte- nance and operation and office supplies	322,215 00
19.	For construction of county buildings and/or pur- chase of land	50,000 00
20.	For county aid to agriculture, maintenance and operation	85,810 00
21.	For state reservation, maintenance and operation, Walden Pond	68,960 00
24.	For non-contributory pensions	75,000 00
25.	For contributory retirement systems and super- visory expenses	91,515 00
26.	For miscellaneous and contingent expenses	12,500 00

Item		
27.	For unpaid bills of previous years	\$7,000 00
28.	For reserve fund	40,000 00
28a.	For reserve for salary adjustments	25,000 00

And the county commissioners of Middlesex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$3,661,814 90

NORFOLK COUNTY.

1.	For interest on county debt	\$9,437 50
2.	For reduction of county debt	37,000 00
3.	For county commissioners, salaries and expenses .	18,875 00
4.	For transportation and expenses of county and acting commissioners	500 00
5.	For clerk of courts, salaries and expenses . . .	46,272 50
6.	For county treasurer, salaries and expenses . .	24,959 00
7.	For sheriff, salary and expenses	7,675 00
8.	For registry of deeds, salaries and expenses . .	248,060 00
8a.	For registry of probate, salaries and expenses . .	16,540 00
9.	For law libraries, salaries and expenses	4,530 00
10.	For highways, including state highways, bridges and land damages	263,245 00
12.	For criminal costs in superior court	77,600 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	115,710 00
14.	For district courts, salaries and expenses . . .	323,159 25
15.	For medical examiners and commitments of insane .	29,500 00
16.	For jails and houses of correction, maintenance and operation	163,665 00
17.	For training school	25,000 00
18.	For court houses and registry buildings, maintenance and operation	154,095 00
20.	For agricultural school, maintenance and operation	265,111 00
24.	For non-contributory pensions	23,500 00
25.	For contributory retirement systems and supervisory expenses	33,554 15
26.	For miscellaneous and contingent expenses . . .	5,723 61
27.	For unpaid bills of previous years	3,000 00
28.	For reserve fund	20,000 00
28a.	For reserve for salary adjustments	9,000 00

And the county commissioners of Norfolk county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$1,174,993 53

PLYMOUTH COUNTY.

1.	For interest on county debt	\$6,372 22
2.	For reduction of county debt	140,000 00
3.	For county commissioners, salaries and expenses .	23,268 75
4.	For transportation and expenses of county and acting commissioners	1,200 00
5.	For clerk of courts, salaries and expenses . . .	38,795 00

Item		
6.	For county treasurer, salaries and expenses	\$17,480 00
7.	For sheriff, salary and expenses	7,545 00
8.	For registry of deeds, salaries and expenses	125,227 50
8a.	For registry of probate, salaries and expenses	13,882 50
9.	For law libraries, salaries and expenses	7,021 00
10.	For highways, including state highways, bridges and land damages	207,876 52
11.	For examination of dams	1,500 00
12.	For criminal costs in superior court	69,276 81
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	83,810 00
14.	For district courts, salaries and expenses	162,740 19
15.	For medical examiners and commitments of insane	16,450 00
16.	For jails and houses of correction, maintenance and operation	196,060 00
17.	For training school	9,000 00
18.	For court houses and registry buildings, mainte- nance and operation	65,751 75
19.	For construction of county buildings and/or pur- chase of land	10,000 00
20.	For county aid to agriculture, maintenance and operation	52,164 42
24.	For non-contributory pensions	2,736 20
25.	For contributory retirement systems and super- visory expenses	18,302 93
26.	For miscellaneous and contingent expenses	2,430 65
27.	For unpaid bills of previous years	1,000 00
28.	For reserve fund	10,000 00
28a.	For reserve for salary adjustments	3,200 00
29.	For police training school	13,835 18
31.	For forest fire control	5,925 00

And the county commissioners of Plymouth county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$1,022,601 58

WORCESTER COUNTY.

1.	For interest on county debt	\$5,500 00
3.	For county commissioners, salaries and expenses	27,895 00
4.	For transportation and expenses of county and acting commissioners	1,630 00
5.	For clerk of courts, salaries and expenses	82,203 15
6.	For county treasurer, salaries and expenses	29,985 00
7.	For sheriff, salary and expenses	8,808 00
8.	For registry of deeds, salaries and expenses	245,312 00
8a.	For registry of probate, salaries and expenses	13,590 00
9.	For law libraries, salaries and expenses	25,565 00
10.	For highways, including state highways, bridges and land damages	538,455 00
11.	For examination of dams	950 00
12.	For criminal costs in superior court	102,480 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	179,335 00
14.	For district courts, salaries and expenses	390,014 59
15.	For medical examiners and commitments of insane	49,740 00
16.	For jails and houses of correction, maintenance and operation	269,907 29

Item	
17.	For training school \$71,280 00
18.	For court houses and registry buildings, maintenance and operation 149,095 00
20.	For county aid to agriculture, maintenance and operation 81,388 00
21a.	For state reservation, maintenance and operation, Mount Wachusett 33,044 43
21b.	For state reservation, Purgatory Chasm 15,930 60
23.	For preventorium, health service 2,000 00
24.	For non-contributory pensions 26,277 34
25.	For contributory retirement systems and supervisory expenses 58,512 00
26.	For miscellaneous and contingent expenses 19,142 17
27.	For unpaid bills of previous years 5,000 00
28.	For reserve fund 15,000 00
28a.	For reserve for salary adjustments 11,400 00
29.	For bindery department 6,605 00

And the county commissioners of Worcester county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$1,806,936 51

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of each county a certification of the amounts above appropriated as set forth in the approved schedules for such county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main group "personal services" to another main group nor shall any transfer be made from any other main group into the main group "personal services".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main group "personal services".

Notwithstanding anything in this section to the contrary, transfers within the detailed schedules for the appropriation for the Bristol County Agricultural School, the Essex County Agricultural School and the Norfolk County Agricultural

School may be made solely upon the written approval of the commissioner of education for the commonwealth.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts. No direct drafts against the account called reserve for salary adjustments shall be made, but transfers from this account may be made, upon the request of the county commissioners and with the approval of the director of accounts, to meet expenditures for salaries.

SECTION 3. No expense incurred for mid-day meals by county employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that officers and employees in attendance at meetings and conferences called by or for any group or class on a state-wide basis shall be so reimbursed.

Certain
mid-day
meals
excluded.

SECTION 4. The allowance to county employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed seven cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate.

Approved June 9, 1954.

AN ACT PROVIDING FOR THE CONSTRUCTION OF A BRIDGE *Chap. 604*
OVER THE JONES RIVER IN THE TOWN OF KINGSTON.

Be it enacted, etc., as follows:

SECTION 1. The department of public works is hereby authorized to construct a bridge across the Jones river in the town of Kingston on the proposed relocation of Route 3 at a location about one and five tenths miles above the mouth of the river, and, subject to the laws of the United States, said bridge may be constructed without a draw.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1954.

Chap.605 AN ACT RELATIVE TO THE TIME OF MAKING CERTAIN ASSESSMENTS BY THE COMMISSIONER OF CORPORATIONS AND TAXATION.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make immediately effective the power of the commissioner of corporations and taxation to make certain assessments, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 62,
§ 37, etc.,
amended.

Power of tax
commission
to make
certain
assessments.

Effective
date.

Limitation.

SECTION 1. Section 37 of chapter 62 of the General Laws, as most recently amended by section 1 of chapter 698 of the acts of 1949, is hereby further amended by inserting after the second sentence the following sentence: — In the case of a false or fraudulent return filed with intent to evade a tax or of a failure to file a return, the commissioner may make an assessment at any time.

SECTION 2. This act shall take effect upon its passage and shall apply to all returns for which the statute of limitations on assessment provided in the first sentence of section thirty-seven of chapter sixty-two has not expired upon the date of passage.

Approved June 9, 1954.

Chap.606 AN ACT TO ESTABLISH THE POSITION OF INVESTIGATOR AND ATTORNEY IN THE OFFICE OF THE COMMISSIONER OF VETERANS' SERVICES.

Be it enacted, etc., as follows:

SECTION 1. The disabled veteran employed in the office of the commissioner of veterans' services with the civil service rating and title of investigator, assigned to the duties of adviser to the municipal veterans' agents and service officers, shall have the civil service rating and title of investigator and attorney, with salary grade to be determined by the division of personnel and standardization.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1954.

Chap.607 AN ACT ESTABLISHING A LEGISLATIVE RESEARCH COUNCIL AND A LEGISLATIVE RESEARCH BUREAU.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide for the immediate establishment of a legislative research council and a legislative research bureau, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared that the volume and complexity of legislative matters before the general court

have shown a prodigious increase since the close of World War II; that the technical aspects of many of these matters are of such a nature as to require a high degree of specialization on the part of the legislative members; that painstaking, exhaustive and accurate fact-finding is a necessity in the proper discharge of legislative duties in a legislative body encompassing the scope of the general court of Massachusetts; that a legislative research staff is currently recognized as an invaluable and indispensable tool in the efficient performance of the legislative process; and that it is the intention of this act to establish a legislative research staff which shall perform its duties in a manner completely impartial and non-partisan at all times and in conformance with the highest standards of research practice for the assistance and benefit of the members, committees and commissions of the general court.

SECTION 2. Chapter 3 of the General Laws is hereby amended by adding at the end the following six sections under the caption:— LEGISLATIVE RESEARCH COUNCIL AND LEGISLATIVE RESEARCH BUREAU. *Section 56.* There is hereby established a legislative research council, hereinafter called the council, to consist of two members of the senate, to be designated annually by the president thereof, and four members of the house of representatives, to be designated annually by the speaker thereof. The membership appointed to the council from each branch of the general court shall be equally divided between the two major political parties. The president of the senate and the speaker of the house of representatives shall appoint the chairman and vice chairman, respectively, of the council. A member of the council may be reappointed but shall not serve after he ceases to be a member of the general court. Members of the council shall serve without pay as such but shall be reimbursed for all necessary expenses, and while the general court is not in session shall be reimbursed for travel and expenses to and from their homes to the state house at the same rate as that paid to members of the general court when it is in session. The members of said council shall not be deemed to be executive or administrative officers within the meaning of the constitution, but shall serve directly under the general court.

Section 57. The council shall determine all policies with respect to a legislative research program as hereinafter provided and shall provide for the creation of a legislative research bureau, hereinafter called the bureau, under its direction, which shall carry out the policies so determined.

Section 58. The council shall appoint a person qualified by education, training and experience who shall be the director of the bureau. The council shall also appoint such assistants to the director as are necessary to carry out the program of statistical research and fact-finding required by the council. The compensation of the director and other bureau employees shall be subject to the approval of the committee on rules of the two branches of the general court.

G. L. (Ter. Ed.), 3, new §§ 56-61, added.

Legislative research council, established.

Membership, etc.

Duties of council.

Director of bureau.

The director and his assistants shall not be subject to chapter thirty-one.

Duties of
bureau.

Section 59. The bureau shall assist the members of the general court and any committee and recess commission thereof in all matters requiring statistical research or fact-finding in connection with proposed legislation or other matters pertaining to the functions of the general court.

Quarters,
availability
of informa-
tion, etc.

Section 60. The bureau shall be provided with quarters in the state house or elsewhere at a location convenient to the general court and shall, upon request, be furnished with such information and records by all departments, divisions, agencies and political subdivisions of the commonwealth as are not deemed to be confidential and are required by it for the proper conduct of its duties.

Reports.

Section 61. The bureau shall make such reports to the council as are required by it. The council may report from time to time to the general court and shall make an annual report in writing to the general court by filing a copy of the same with the clerk of the house of representatives on or before the second Wednesday of November in each year.

Approved June 9, 1954.

Chap. 608 AN ACT TO AUTHORIZE THE CITY OF FITCHBURG TO APPROPRIATE A SUM OF MONEY FOR THE ACQUISITION OF LAND AND BUILDINGS THEREON AND TO DEFRAY THE COST THEREOF BY BORROWING.

Be it enacted, etc., as follows:

SECTION 1. The city of Fitchburg is hereby authorized to raise and appropriate a sum of money not exceeding one hundred and fifty thousand dollars for the acquisition of land and all buildings located thereon, which land is registered in the land court for Worcester Northern District, Registry of Deeds, registration book three, page thirty-five, document numbered one thousand two hundred and thirty-eight, certificate numbered four hundred and thirty-five, said land comprising approximately twenty-six thousand square feet. After the acquisition of said land and buildings the city of Fitchburg is authorized to operate a garage thereon, for the purpose of providing off-street parking facilities for motor vehicles in said city, and for alleviating traffic conditions and avoiding congestion on its public streets. Said city is authorized to install on said land or said buildings parking meters for the purpose of regulating parking of motor vehicles therein. Said city is hereby authorized to lease the entire premises, or any portion thereof, for such term, not exceeding five years, as it may determine, and said lease shall contain regulations with respect to the use, operation and occupancy of such property; provided, that said lease shall not be modified or cancelled, but nothing herein shall be construed to prevent the termination of the lease by the city in accordance with its provisions for the

breach of any covenant or condition thereof. Said lease shall contain schedules of maximum rates, to be determined by the city council and approved by the mayor, to be charged for the parking of motor vehicles therein and shall provide for the payment of an annual rental to the city by the lessee.

SECTION 2. No lease shall be executed under authority of this act unless the city shall first have invited proposals for said lease by advertisements in at least one daily newspaper published in the city once a week for at least two consecutive weeks, the last publication to be at least seven days before the time specified for the opening of said proposals. Such advertisements shall state the time and place where the form of lease may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the city the right to reject all proposals. All such proposals shall be opened in public. No lease shall be made except to the highest responsible bidder as determined by the mayor. Every lease shall be accompanied by a bond with sureties satisfactory to the mayor, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bond or other security shall be deposited with the city treasurer until the lease has been carried out in all respects. Said land and buildings thereon shall be assessed and taxed to the lessee or their assigns, or to the occupant or person in possession thereof in the same manner and to the same extent as if the said lessee or their assigns or the occupant or person in possession were the owners thereof in fee. Payment of the assessed taxes shall not be enforced by any lien upon or sale of the real estate, but the interest of the lessee or their assigns therein may be sold by the collector of taxes of the city for the non-payment of taxes assessed as aforesaid in the manner provided by law for the sale of real estate for non-payment of local taxes. Said collectors shall have for the collection of taxes on said land and buildings all other remedies provided by chapter sixty for the collection of taxes by collectors of cities and towns.

SECTION 3. For the purpose of providing funds to meet the appropriations authorized by section one of this act, the city of Fitchburg may by the issuance of bonds borrow up to an amount not exceeding one hundred and fifty thousand dollars payable in not more than ten years. Said bonds shall bear on their face the words, Fitchburg Off-Street Parking Garage Loan, Act of 1954. Each authorized loan shall constitute a separate loan; indebtedness incurred under this act shall be within the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 4. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved June 9, 1954.

Chap.609 AN ACT PROVIDING A METHOD OF PAYMENT TO CERTAIN SUB-
CONTRACTORS ON CONTRACTS FOR THE CONSTRUCTION,
RECONSTRUCTION, ALTERING, REMODELING AND REPAIR
OF CERTAIN PUBLIC WORKS BY THE COMMONWEALTH OR
ANY POLITICAL SUBDIVISION THEREOF.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 30,
new § 39F,
added.

Provisions of
certain public
building
contracts,
regulated.

Payments
for same,
regulated.

Chapter 30 of the General Laws is hereby amended by inserting after section 39E, inserted by chapter 694 of the acts of 1951, the following section: — *Section 39F*. Every contract for the construction, reconstruction, alteration, remodeling or repair of any public building by the commonwealth, or by any county, city, town, district, board, commission or other public body, and estimated to cost more than five thousand dollars in the case of the commonwealth, and more than one thousand dollars in the case of any county, city, town, district, board, commission or other public body, shall contain the following in its entirety: Within ten days after the general contractor receives payment on account of a periodic estimate of the value of the work done, he shall pay to each subcontractor the sum contained therein for the value of said subcontractor's work, less any amount retained therefrom by the awarding authority under the terms of the contract or in consequence of any legal proceedings or statutory liens, and less any amounts due the general contractor under said subcontracts; not less than sixty-five nor more than seventy-five calendar days after a subcontractor fully completes his portion of the work, and payment therefor has been made to the general contractor, payment shall be due the subcontractor and the general contractor shall pay to the subcontractor the entire balance due said subcontractor less the amount which the awarding authority determines shall be retained pending its determination that said portion of the work is satisfactory or in consequence of any legal proceedings or statutory liens, and less any amounts due the general contractor under said subcontracts; and, in the event the general contractor does not pay the subcontractor within seventy-five calendar days the entire balance due the subcontractor on the completed work, less the aforesaid amounts, the awarding authority shall make out of sums payable to the general contractor on the contract direct payment of the entire balance due the subcontractor for the work, less the aforesaid amounts.

Approved June 9, 1954.

Chap.610 AN ACT RELATIVE TO THE FILING OF SCHEDULES OF WATER
RATES, PRICES AND CHARGES OF WATER DISTRICTS WITH
THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 165,
new § 2A,
added.

Chapter 165 of the General Laws is hereby amended by inserting after section 2, as appearing in the Tercentenary

Edition, the following section: — *Section 2A.* Water districts shall file with the department schedules, in such form as the department shall from time to time prescribe, showing all rates, prices and charges to be charged or collected within the commonwealth for the sale and distribution of water.

Schedules of
water rates.

Approved June 9, 1954.

AN ACT RELATIVE TO THE TAXATION OF CERTAIN INCOME. *Chap.611*

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 62 of the General Laws is hereby amended by striking out the first paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:—Income taxable under subsection (b) of section five shall be the net income from the profession, employment, trade or business in the year for which the income is computed. Income from, payments for the use of, or gains from sales or exchanges of any personal tangible or intangible property and gains from sales or exchanges of real estate, except income, payment or gains, which are specifically taxed or exempted under a section or subsection of this chapter other than subsection (b) of section five shall constitute income from the trade or business of the taxpayer. The net income from the profession, employment, trade or business shall be the gross income derived therefrom less the following deductions:

G. L. (Ter.
Ed.), 62, § 6,
amended.

Determination
of taxable
income from
profession,
employment,
etc.

SECTION 2. Section 22 of said chapter 62, as amended by section 2 of chapter 486 of the acts of 1939, is hereby amended by striking out clause (a) and inserting in place thereof the following clause:—(a) from rentals of real estate, including reasonable amounts charged on account of services, facilities or utilities furnished tenants of said real estate provided that said services, facilities or utilities are related directly to the business of renting real estate, or gains from the sale or exchange of real estate which is used as the principal residence of the taxpayer.

G. L. (Ter.
Ed.), 62,
§ 22, etc.,
amended.

Income from
certain rentals
and sales of
real estate,
exempted.

SECTION 3. This act shall take effect on January first, nineteen hundred and fifty-five and shall apply to income received in the calendar year nineteen hundred and fifty-four and thereafter.

Effective date,
applicability.

Approved June 9, 1954.

AN ACT ESTABLISHING THE HILLCREST SEWER DISTRICT IN THE TOWN OF LEICESTER. *Chap.612*

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Leicester, liable to taxation in said town and residing within the territory within the following boundary lines, to wit:—beginning at a point in the southerly boundary of the Leicester Water Supply District marked by a stone monument on the west side of Pleasant street; thence southerly by the western side of Pleasant street a distance of seven thousand feet;

thence true west a distance of two thousand feet; thence northerly by a straight line to a point in the southerly boundary of the Leicester Water Supply District; thence easterly by said southerly boundary to a distance of two thousand feet to the point of beginning, — shall constitute a sewer district and are hereby made a body corporate by the name of the Hillcrest Sewer District, hereinafter called the district, for the purpose of laying out, constructing, maintaining and operating a system or systems of main drains and common sewers for a part or whole of its territory, with such connections and other works as may be required for a system of sewerage disposal, and may construct such sewers or drains in said district as may be necessary, and, for the purpose of providing better surface or other drainage, may make, lay and maintain such drains as it deems best; and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. The district may make and maintain, in any way therein where main drains or common sewers are constructed, such connecting drains, sub-drains and sewers within the limits of such way as may be necessary to connect any estate which abuts upon such way.

SECTION 3. Any meeting of the voters of the territory included within the boundaries set forth in section one, to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the sewer commissioners, shall be called on petition of ten or more legal voters therein, by warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting, the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by the majority of the voters present and voting thereon by ballot it shall thereupon take full effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the sewer commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 4. The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting

at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in said district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of sewer commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of sewer commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the sewer commissioners were first elected. All the authority granted to said district by this act, except sections six and seven, and not otherwise specifically provided for, shall be vested in said board of sewer commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said sewer commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be a sewer commissioner, and shall give bond to the district in such an amount as may be approved by said sewer commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said sewer commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its sewer works except upon a written order of said sewer commissioners or a majority of them.

SECTION 5. The board of sewer commissioners, acting for and on behalf of said district, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said district, necessary for accomplishing any purpose mentioned in this act, and may construct such main drains and sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such drains and sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any drain or sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure

to agree, as may be approved by the department of public utilities.

SECTION 6. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, sixty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Hillcrest Sewer District Loan, Act of 1954. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 7. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section six of this act; and, when a vote to that effect has been passed, a sum which, with the income derived from sewer rates, will be sufficient to pay the annual expense of operating its sewer works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall without further vote be assessed upon the district by the assessors of said town of Leicester annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 8. Any land taken or acquired under this act shall be managed, improved and controlled by the board of sewer commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section four.

SECTION 9. The district clerk shall certify all appropriations voted by the district to the assessors of the town of Leicester who shall assess the same on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of sewerage under this act, if, in the judgment of the board of sewer commissioners herein provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it will receive no aid from the said sewerage system, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be connected with the said system in any ordinary or reasonable manner; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board of sewer commissioners to said assessors. The assessment shall be committed to the town collector of taxes, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the

proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 10. The receipts from sewer assessments, charges, rates and taxes shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system of sewerage and sewage disposal or to the extension thereof; to the payment of interest upon bonds or notes issued for sewer purposes; or to the payment or redemption of such bonds or notes.

SECTION 11. Said board of sewer commissioners may annually appoint a superintendent of sewers, who shall not be a member of the board, and shall define his duties. It may remove the superintendent at its pleasure.

SECTION 12. All contracts made by the board of sewer commissioners shall be made in the name of the district, and shall be signed by the board, but no contract shall be made or obligation incurred by said board for any purpose in excess of the amount of money appropriated by the district therefor.

SECTION 13. Said board may, from time to time, prescribe rules and regulations for the connection of estates and buildings with sewers, and for inspection of the materials, the construction, alteration and use of all connections entering into such sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town of Leicester, if there be any, and if not, then in some newspaper published in the county of Worcester, and shall not take effect until such publications have been made.

SECTION 14. No act shall be done under authority of the preceding sections, except in the making of surveys and other preliminary investigations, until the plans for said system of sewerage and sewage disposal have been approved by the state department of public health. Upon application to said department for its approval, it shall give a hearing, after due notice to the public. At such hearing, plans showing the work to be done in constructing said system of sewerage and sewage disposal shall be submitted for approval by said department.

SECTION 15. Upon a petition in writing, addressed to said board of sewer commissioners, requesting that certain real estate, accurately described therein, located in said town of Leicester and not otherwise served by a suitable means of sewage disposal, be included within the limits thereof, and signed by the owners of such real estate, or a majority thereof, said sewer commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting

thereon vote in the affirmative, the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 16. This act shall take full effect upon its acceptance by a majority of the registered voters of the territory included within said district described in section one of this act, present and voting thereon by use of a check list at a district meeting called in accordance with section three.

Approved June 9, 1954.

Chap.613 AN ACT AUTHORIZING AND DIRECTING THE STATE AIRPORT MANAGEMENT BOARD TO ACQUIRE CERTAIN LAND.

Be it enacted, etc., as follows:

The state airport management board acting through the commissioner of airport management is hereby authorized and directed to acquire by purchase, eminent domain or otherwise, for airport purposes, a parcel of land with the buildings thereon situated in the East Boston district of the city of Boston, owned now or formerly by one Mary J. Rowan, containing about fifteen thousand nine hundred and seven square feet and being bounded and described as follows: —

Northwesterly and northeasterly, by land of the commonwealth of Massachusetts airport, one hundred and sixty-eight and seventy-three hundredths feet and one hundred feet, respectively; southeasterly, by land now or formerly known as Lamson street, one hundred and forty-nine and ninety-one hundredths feet; and southwesterly, by land of owners unknown, numbered 300 to 308 in the numbering of Maverick street, one hundred and one and sixty-two hundredths feet.

For the purposes of this act such sums, not exceeding seven thousand dollars, may be expended as may be appropriated therefor.

Approved June 9, 1954.

Chap.614 AN ACT AUTHORIZING THE TOWN OF CONCORD TO APPROPRIATE AND PAY ALL OR A PORTION OF THE COST OF HOSPITALIZATION INSURANCE FOR ITS EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. The town of Concord is hereby authorized to appropriate and pay all or a portion of the cost of group hospital insurance for its employees.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the registered voters of the town of Concord voting thereon at an annual or special town meeting, but not otherwise.

Approved June 9, 1954.

AN ACT PROVIDING FOR THE RETURN OF CERTAIN MONEYS
PAID INTO THE STATE RETIREMENT FUND BY CERTAIN
FORMER MEMBERS OF THE GENERAL COURT. *Chap.615*

Be it enacted, etc., as follows:

The state board of retirement is hereby authorized and directed upon request to pay from the state retirement fund to the surviving beneficiary or beneficiaries entitled thereto or the legal representatives of any former member of the general court who is deceased all contributions and accumulated total deductions paid into the state retirement fund by such member, less the amount, if any, paid to such member in the form of a retirement allowance.

Approved June 9, 1954.

AN ACT GIVING DISTRICT COURTS EXCLUSIVE ORIGINAL JURISDICTION OF ACTIONS OF TORT ARISING OUT OF THE OWNERSHIP, OPERATION, MAINTENANCE, CONTROL OR USE OF MOTOR VEHICLES. *Chap.616*

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 19, as most recently amended by section 3 of chapter 556 of the acts of 1954, and inserting in place thereof the following section: — *Section 19.* Except as herein otherwise provided, district courts shall have original jurisdiction concurrent with the superior court of actions of contract, tort and replevin, and also of actions in summary process under chapter two hundred and thirty-nine and proceedings under section forty-one of chapter two hundred and thirty-one. District courts shall have exclusive original jurisdiction of actions of tort arising out of the ownership, operation, maintenance, control or use of a motor vehicle. District courts shall also have jurisdiction of civil proceedings under chapter two hundred and seventy-three A.

G. L. (Ter. Ed.), 218, § 19, etc., amended.

District courts to have exclusive original jurisdiction in motor vehicle tort cases.

SECTION 2. The last sentence of the first paragraph of section 2 of chapter 223 of the General Laws, as amended by section 2 of said chapter 296, is hereby further amended by striking out, in line 3, the word “may” and inserting in place thereof the word: — shall, — so as to read as follows: — An action of tort arising out of the ownership, operation, maintenance, control or use of a motor vehicle or trailer as defined in section one of chapter ninety shall be brought in a district court within the judicial district of which one of the parties lives or in any district court the judicial district of which adjoins and is in the same county as the judicial district in which the defendant lives or has his usual place of business; provided, that if one of the parties to any such action lives in Suffolk county such action may be brought in the municipal court of the city of Boston.

G. L. (Ter. Ed.), 223, § 2, etc., amended.

Venue.

SECTION 3. Chapter 231 of the General Laws is hereby amended by inserting after section 102A the following sec-

G. L. (Ter. Ed.), 231, new § 102B, added.

Removal to
superior court,
regulated.

tion:— *Section 102B.* A party bringing in a district court an action of tort arising out of the ownership, operation, maintenance, control or use of a motor vehicle shall thereby be deemed to have waived a trial by jury and any right of appeal to the superior court, unless said action is removed to the superior court as provided in this section, but in case such action is so removed by any other party the plaintiff shall have the same right to claim a jury trial as if the action had been originally brought in the superior court. Not more than six days after the entry of such an action in a district court, or at any time thereafter by leave of such court if it finds that there is another action pending in the superior court with which such action should be consolidated for trial, the plaintiff may file in the district court a claim of trial by the superior court, with or without jury, and an affidavit by his counsel of record, if any, and if none, the affidavit of such party, that in his opinion there is an issue of fact or law requiring trial in the cause and that such trial is in good faith intended, together with the sum of three dollars for the entry of the cause in the superior court. The clerk shall forthwith transmit the papers in the cause and said entry fee to the clerk of the superior court, and the case shall proceed as though originally entered there.

No other party to such action shall be entitled to an appeal. In lieu thereof, any such other party may remove such action to the superior court and the pertinent provisions of sections one hundred and four to one hundred and ten, inclusive, shall apply thereto; provided, that the provisions of section one hundred and four requiring the filing of a bond shall not apply to such action if the payment of any judgment for costs which may be entered against the defendant is secured, in whole or in part, by a motor vehicle liability bond or policy, or a deposit as provided in section thirty-four D of chapter ninety. If a trial by jury is claimed by any party such action may be marked for trial upon the list of causes advanced for speedy trial by jury.

G. L. (Ter.
Ed.), 231,
§ 141, etc.,
amended.

SECTION 4. Section 141 of said chapter 231 is hereby amended by inserting after the word "two" in line 19, as appearing in section 2 of chapter 352 of the acts of 1945, the words: —, one hundred and two B, — so as to read as follows:— *Section 141.* Sections one, two, three, four, four A, five, six, six B, seven, ten, eleven, twelve, thirteen, thirteen A, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-seven, forty-eight, forty-nine, fifty, fifty-one, fifty-two, fifty-three, fifty-four, fifty-six, fifty-seven, fifty-eight, fifty-eight A, fifty-nine B, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, seventy-two, seventy-three, seventy-four, seventy-

five, seventy-nine, eighty-five, eighty-five A, eighty-five B, eighty-five D, eighty-seven, eighty-eight, eighty-nine, ninety, ninety-one, ninety-two, ninety-three, ninety-four, ninety-five, ninety-seven, ninety-eight, ninety-nine, one hundred and one, one hundred and two, one hundred and two B, one hundred and three, one hundred and four, one hundred and five, one hundred and six, one hundred and seven, one hundred and eight, one hundred and nine, one hundred and ten, one hundred and twenty-four, one hundred and twenty-five, one hundred and twenty-six, one hundred and thirty-two, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and thirty-six, one hundred and thirty-seven, one hundred and thirty-eight, one hundred and thirty-nine, one hundred and forty, one hundred and forty A and one hundred and forty-seven shall apply to civil actions before district courts, and no other sections of this chapter shall so apply, except to the municipal court of the city of Boston under section one hundred and forty-three.

SECTION 5. This act shall take effect on October first of the current year and shall apply only to actions commenced thereafter.

Effective date,
applicability.

Approved June 9, 1954.

AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY TO THE COMMONWEALTH CERTAIN SCHOOL LANDS IN SAID CITY FOR ARMORY PURPOSES.

Chap.617

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of general or special law, the city of Boston, acting by its mayor, may at any time convey without consideration to the commonwealth for armory purposes any land or building which at the time of conveyance is held by said city for school purposes and which the school committee, by a majority vote of all its members, shall have voted is no longer needed for school purposes; provided, that such conveyance is authorized by a majority of the board provided for by section one of chapter two hundred and fifty-nine of the acts of nineteen hundred and six as modified by section three of chapter three hundred and fifty-one of the acts of nineteen hundred and twenty-nine.

Approved June 9, 1954.

AN ACT RELATIVE TO THE DISPOSITION OF CERTAIN FUNDS AUTHORIZED TO BE RAISED FOR THE ALLEVIATION OF FINANCIAL BURDENS RESULTING FROM THE NINETEEN HUNDRED AND FIFTY-THREE TORNADO.

Chap.618

Be it enacted, etc., as follows:

Chapter 651 of the acts of 1953 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* Any funds remaining in the hands of the commission on June thirtieth, nineteen hun-

dred and fifty-five, shall be available for the payment of any principal and interest due thereafter on bonds authorized by this act.

Approved June 9, 1954.

Chap.619 AN ACT AUTHORIZING THE DRACUT WATER SUPPLY DISTRICT TO SUPPLY AND SELL WATER TO THE INHABITANTS OF A CERTAIN PORTION OF THE TOWN OF TYNGSBOROUGH.

Be it enacted, etc., as follows:

Section 1 of chapter 498 of the acts of 1953 is hereby amended by adding at the end the following:— Also the inhabitants of the town of Tyngsborough upon and within the area bounded and described as follows: starting at a stone bound on Frost road; thence northerly along Frost road in a curved line a distance of 934.35 feet to a stone bound; thence in a westerly direction along land now or formerly of William B. Spaulding a distance of 694.43 feet to a stone bound; thence turning at an angle of 75° 40' 16" and running in a southeasterly direction along land now or formerly of said William B. Spaulding a distance of 1208.57 feet; thence turning at an angle of 77° 46' 08" and running in a northeasterly direction a distance of 543.00 feet to the stone bound at the point of beginning.

Approved June 9, 1954.

Chap.620 AN ACT ESTABLISHING A SELECTMEN-EXECUTIVE-SECRETARY FORM OF GOVERNMENT FOR THE TOWN OF IPSWICH.

Be it enacted, etc., as follows:

SECTION 1. Upon the acceptance of this act by the town of Ipswich, as hereinafter provided, the annual town election of said town for the purpose of electing town officers and to take action on such matters as are by law to be determined by ballot, shall be held on the second Monday of March in each year, and the annual meeting for the transaction of all other business shall be held on the first Monday of March in each year at half past seven o'clock in the evening.

SECTION 2. *Election of Selectmen, terms, vacancies.* — At the first town election following acceptance of this act, the registered voters of the town shall elect two selectmen for three years, two selectmen for two years, and one selectman for one year. At each annual town election thereafter the voters shall elect selectmen for three-year terms to replace those whose terms expire. When a vacancy occurs among the selectmen by reason of death, resignation, change of residence from the town or other disability, the remaining selectmen shall have the power to fill the vacancy until the next annual town election, at which the voters shall elect a selectman for the remainder of the unexpired term. The selectmen shall serve until their respective successors are

qualified. Upon the qualification of selectmen first elected under this act, the term of office of the board of selectmen then existing shall terminate.

SECTION 3. *Duties of Selectmen.* — The selectmen shall have and exercise all of the powers, duties and responsibilities now or hereafter conferred or imposed upon boards of selectmen by any provision of law. The selectmen shall be responsible for formulating a general policy for administering the affairs of the town. They may direct and advise the executive-secretary in any matters pertaining to the duties of his office hereinafter provided for. They shall be responsible for the furnishing of information as to the affairs of the town, and may represent the town at public meetings and hearings. The selectmen shall receive such compensation, if any, as the town may by vote determine.

The board of selectmen shall appoint on merit and fitness alone, for a term not to exceed three years, and may remove for cause the town accountant, the registrars of voters except the town clerk, the trust fund commissioners, a constable or constables, and election officers.

SECTION 4. *Election of School Committee.* — At the first annual town election following the acceptance of this act the registered voters of the town shall elect by ballot seven members of the school committee; two for a term of one year, two for a term of two years, and three for a term of three years, and annually thereafter there shall be elected members of the school committee, each for a term of three years in the place of the members whose terms expire. Members of the school committee elected hereunder shall serve until the qualification of their successors. When a vacancy occurs in the membership of the school committee, the remaining members shall give written notice thereof to the selectmen, who, with the remaining members of the school committee, shall, one week after such notice, fill such vacancy by ballot. A majority of the ballots of the remaining members of the school committee and of the board of selectmen voting shall be necessary to fill such vacancy. The person so appointed or elected shall perform the duties of the office until the next annual meeting at which the voters shall elect a member for the remainder of the unexpired term. Upon the election and qualification of the members of the school committee in the year of the annual town election following the acceptance of this act, the terms of office of the members of the then existing committee shall terminate.

SECTION 5. *Powers of School Committee.* — Upon the election and qualification of the school committee elected as herein provided, all the powers, duties and responsibilities, now or hereafter conferred or imposed by law upon school committees, shall be exercised and performed by the school committee elected under the provisions of this act. With the approval of the board of selectmen, the executive-secretary may supervise and direct such activities, construction, repairs, maintenance and upkeep of school buildings

and grounds as may be requested of him by the school committee.

SECTION 6. *Other Elected Officials.* — In addition to the board of selectmen and the school committee the registered voters of the town shall elect a moderator for a term of one year.

SECTION 7. *Multiple Offices.* — A member of the finance committee, the board of selectmen, or the school committee, and the town moderator, except as hereinafter provided, shall, during the term for which he was elected or appointed, be ineligible either by election or appointment to hold any other town office. Any person appointed to any town office, except as above provided, under the provisions of this act or of any general or special law, shall be eligible during the term of said office to appointment to any other town office, except that the town accountant shall not be eligible to hold the position of town treasurer or the position of town collector.

SECTION 8. *Investigations or Surveys.* — For the purpose of making investigations or surveys, the selectmen may employ such experts, legal counsel and other assistants, and incur such other expenses, not exceeding in any year the sum of one thousand dollars, or such larger sum as may be appropriated for the purpose by the town, as they may deem necessary, and the same shall be paid by the treasurer upon a warrant signed by a majority of the board of selectmen.

OATH OF OFFICE.

SECTION 9. All town officers, except the board of assessors, who shall be sworn in accordance with General Laws, and the town clerk, who shall be sworn by a justice of the peace or a notary public, shall be sworn to the faithful performance of their duties by the town clerk.

EXECUTIVE-SECRETARY.

SECTION 10. *Appointment of Executive-Secretary.* — Forthwith, after the election of the selectmen under the provisions of this act, the selectmen shall appoint, for a term not to exceed three years, a town manager to be designated as executive-secretary, who shall be a person especially fitted by education, training and experience, who may also qualify as an engineer, to perform the duties of the office, which office may, at the discretion of the selectmen, include the position of superintendent of public works. He need not be a resident of the town or of this commonwealth when appointed, but shall, if so requested by the board of selectmen, reside in the town during his term of office. He shall not, during one year prior to his appointment, have held any elective office in the town of Ipswich, and may be appointed for successive terms of office. In the event of the temporary absence or disability of the executive-secretary, the board of selectmen may appoint any suitable person to perform the duties of the executive-secretary.

SECTION 11. *Removal of Executive-Secretary.* — The selectmen, by a majority vote of the full membership of the board, may remove the executive-secretary. At least fifteen days before such proposed removal shall become effective, the selectmen shall file a preliminary resolution with the town clerk setting forth in detail the specific reasons for his proposed removal, a copy of which resolution shall be sent by registered mail to the executive-secretary. The executive-secretary may reply in writing to the resolution and may within said fifteen-day period request a public hearing. If the executive-secretary so requests, the board of selectmen shall hold a public hearing not earlier than ten days nor later than fifteen days after the filing of such request. After such public hearing, if any, otherwise at the expiration of thirty days following the filing of the preliminary resolution and after full consideration, the selectmen, by a majority vote of the full membership of the board, may adopt a final resolution of removal. In the preliminary resolution the selectmen may suspend the executive-secretary from duty, but in any case his salary shall continue to be paid until the expiration of one month after the date of the final resolution of removal.

SECTION 12. *Compensation of Executive-Secretary.* — The executive-secretary shall receive such compensation, not exceeding the amount appropriated therefor, as the selectmen shall determine.

SECTION 13. *Powers and Duties of the Executive-Secretary.* — (a) The executive-secretary shall supervise the administration of all departments and activities of the town, subject to the direction and advice of the board of selectmen, as heretofore provided, except those officers, boards, committees or commissions elected in whole or in part by the voters or appointed by the moderator. With the approval of the selectmen, he may also supervise and direct such other activities and undertakings of the town, not otherwise subject to his supervision, as may be requested of him from time to time by the office, board or committee having control thereof.

(b) The executive-secretary may appoint and remove all town employees, in any department, commission, board or offices, over which he has supervision and direction. Officers and full-time employees not subject to chapter thirty-one of the General Laws may be suspended from duty, but shall not be removed by the executive-secretary or any department head except on notice in writing setting forth the reason of such removal. Such officers or employees shall have the right of appeal to the board of selectmen, which shall act as a board of appeal, and said board shall, after full consideration, make a decision which shall be final.

(c) The executive-secretary shall appoint, subject to the approval of the board of selectmen, on merit and fitness alone, for such terms of office, if any, as he may deem appropriate, and may remove, subject to the approval of the

board of selectmen, the board of public welfare, the playground and recreation board, board of health, the clam commissioner and harbor master, the town clerk, town treasurer and collector, town counsel, fire chief, board of assessors, planning board, superintendent of public works, and such other officers, boards and committees as may be required for the proper administration of town affairs, or as he shall hereafter be directed to appoint by by-law or vote of the town or specially provided by the General Laws.

(d) The executive-secretary, in accordance with the provisions of this act, and except as otherwise expressly prohibited by the General Laws, may, subject to the approval of the board of selectmen, reorganize, consolidate or abolish departments, commissions, boards or offices under his direction and supervision, in whole or in part, establish such new departments, commissions, boards and offices as he deems necessary, and transfer the duties and powers of one department, commission, board or office to another, and may, with the approval of the selectmen and consent of the finance committee, transfer the appropriation of one department, board or office to another.

(e) The executive-secretary shall attend all regular meetings of the board of selectmen except meetings at which his removal is being considered.

(f) The executive-secretary shall keep full and complete records of his office, and shall render as often as may be required by the selectmen a full report of any operations under his supervision.

(g) The executive-secretary shall keep the selectmen fully informed as to the needs of the town, and shall recommend to the selectmen for adoption such measures requiring action by them or by the town as he may deem necessary or expedient.

(h) The executive-secretary, with the approval of the board of selectmen, shall have jurisdiction over and be responsible for the planning, construction, reconstruction, alteration, repair, improvement, use and rental of all town property, except as hereinbefore provided with respect to schools, and except as otherwise specifically voted by the town.

(i) Except as otherwise provided by this act the executive-secretary shall purchase all supplies, materials and equipment, and shall award all contracts for all departments and activities of the town under his supervision, and may make purchases for departments not under his supervision upon requisition duly authorized by the head of such department.

(j) The executive-secretary shall perform such other duties, consistent with his office, as may be required of him by the by-laws, or vote of the town, or by vote of the selectmen.

(k) The executive-secretary shall have access to all town books, records and papers. He may without notice cause the affairs of any department, or activity under his super-

vision, or the conduct of any officer or employee appointed by him, to be examined.

SECTION 14. *Department of Public Works.* — There shall be a department of public works, subject to the approval of the board of selectmen, which shall be under the direction and supervision of a superintendent, who may be the executive-secretary. The department of public works shall be responsible for the care, maintenance and operation of all town buildings and grounds other than schools and school grounds, except as herein otherwise provided.

It shall assume all the duties and functions heretofore performed or required by law to be performed by the following: — The highway department, the garbage and refuse division of the health department, the tree and moth department, the cemetery department, the water and electric light department, the sewerage department, and the trustees of the land of the town of Ipswich at Great Neck.

Any general or special law providing for boards, commissions or trustees for the above shall be ineffective so far as they may concern the town of Ipswich.

The department of public works may, subject to the approval of the board of selectmen, perform such duties and functions as may be requested by any other department of the town, and shall perform such duties and functions as may be imposed on towns by any general or special laws which pertain to the care, maintenance and operation of public buildings, grounds, parks and playgrounds, and also of the departments herein enumerated.

PRIOR ACTS.

SECTION 15. All powers, rights, duties and liabilities which, by chapter three hundred and thirteen of the acts of eighteen hundred and ninety, and chapter one hundred and six of the acts of nineteen hundred and four, and any acts in amendment thereof or supplemental thereto, as are vested in the board of water commissioners, the board of selectmen or the board of water and municipal light commissioners of the town of Ipswich are hereby transferred to and invested in the board of selectmen. No contracts, rights or liabilities so existing at the time of the effective date of the acceptance of this act shall be affected hereby.

TOWN OFFICES.

SECTION 16. *Board of Health.* — There shall be a board of health consisting of three persons to be appointed by the executive-secretary with approval of the board of selectmen; one of said persons shall be appointed for a term of one year, one for a term of two years, and one for a term of three years, and annually thereafter each shall be appointed for a term of three years. If, for any reason, a vacancy occurs in the membership of the board of health, the membership shall be filled by the executive-secretary with the approval of the

board of selectmen for the unexpired term. The board of health shall organize for the proper conduct of their duties. They shall be subject to all the duties and liabilities conferred or imposed by law.

SECTION 17. *Appointment of Planning Board.* — There shall be established a planning board as herein provided which shall have all the powers and duties of planning boards established in accordance with section eighty-one A of chapter forty-one of the General Laws, except that such planning board shall not act as playground commissioners. The board established hereunder shall consist of five members who shall be appointed by the executive-secretary with the approval of the board of selectmen. When such board is first established its members shall be appointed for terms of such length and so arranged that the term of at least one member shall expire each year and his successor shall be appointed by the executive-secretary with the approval of the selectmen for a term of five years. Any vacancy shall be filled for the unexpired term by the executive-secretary with the approval of the board of selectmen. Upon the appointment and qualification of the members of the board, the term of office of the members of the then existing planning board shall terminate.

SECTION 18. *Appointment of Board of Public Welfare.* — The executive-secretary shall appoint, subject to the approval of the board of selectmen, a board of public welfare to consist of three persons. One of said persons shall be appointed for a term of one year, one for a term of two years, and one for a term of three years, and annually thereafter there shall be appointed by the executive-secretary a member for a term of three years in the place of the member whose term expires. The members shall serve until their successors are appointed and qualified. If for any reason a vacancy occurs in the membership of the board of public welfare, the vacancy shall be filled forthwith by the executive-secretary for the unexpired term. Upon the appointment and qualification of the members of the board of public welfare as provided in this section the terms of office of the members of the then existing board of public welfare of the town shall terminate. The board of public welfare appointed hereunder shall organize for the proper conduct of their duties, and shall possess all the powers and rights and be subject to all the duties and responsibilities conferred or imposed by law upon boards of public welfare.

SECTION 19. *Playground and Recreation Commissioners.* — The executive-secretary shall appoint, subject to the approval of the board of selectmen, a board of playground and recreation commissioners to consist of five persons. One person shall be appointed for a term of one year, two for a term of two years, and two for a term of three years, and annually thereafter there shall be appointed by the executive-secretary a member or members for a term of three years in the place of the member or members whose term expires. The

members shall serve until their successors are appointed and qualified. If, for any reason, a vacancy occurs in the membership of the board of playground and recreation commissioners, the vacancy shall be filled forthwith by the executive-secretary for the unexpired term. Upon the appointment and qualification of the members of the then existing board of playground and recreation commissioners as provided in this section the terms of office of the members of the then existing boards of playground and recreation commissioners of the town shall terminate. The board of playground and recreation commissioners appointed hereunder shall organize for the proper conduct of their duties and shall possess all the powers and rights and be subject to all the duties and responsibilities conferred or imposed by law or by-laws of this town upon the board of playground and recreation commissioners, but in the performance of their duties they shall be subject to the general supervision and direction of the executive-secretary.

SECTION 20. *Appointment of Board of Assessors.* — There shall be a board of assessors consisting of three persons, to be appointed by the executive-secretary with the approval of the board of selectmen. The full-time member shall be appointed for a term of three years, one member for one year and one member for two years, and thereafter each shall be appointed for a term of three years. The assessors shall serve until their successors are appointed and qualified. If, for any reason, a vacancy occurs in the membership of the board of assessors, the vacancy shall be filled forthwith by the executive-secretary with the approval of the board of selectmen for the unexpired term. Upon the appointment and qualification of assessors as provided in this section the terms of office of the members of the then existing board of assessors of the town shall terminate. The assessors shall organize for the proper conduct of their duties and shall possess all the powers and rights and be subject to all the duties and liabilities conferred or imposed by law upon assessors of towns.

SECTION 21. *Town Clerk.* — The executive-secretary with the approval of the board of selectmen shall appoint a town clerk. The existing office of town clerk shall be continued until the person appointed to said office of town clerk shall have qualified. The town clerk shall have the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred or imposed by law upon town clerks.

SECTION 22. *Town Treasurer.* — The executive-secretary with the approval of the board of selectmen shall appoint a town treasurer. The existing office of town treasurer shall be continued until the person appointed to said office shall have qualified. The town treasurer shall have the powers, perform the duties, and be subject to the liabilities and penalties now or hereafter imposed by law upon town treasurers. Whenever it shall be necessary to execute any

deed conveying land, or any other instrument required to carry out any vote of the town the same shall be executed by the treasurer and a majority of the board of selectmen in behalf of the town.

SECTION 23. *Town Collector.* — The executive-secretary with the approval of the board of selectmen shall appoint a person to the office of town collector, who may also be the town treasurer. The existing office of town collector shall be continued until the person appointed to said office of town collector shall have qualified. The collector shall have the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred or imposed by law upon town collectors.

SECTION 24. *Town Accountant.* — The board of selectmen shall appoint a town accountant, and the town accountant shall have the powers, perform the duties, and be subject to the liability and penalties now or hereafter conferred or imposed by law upon town accountants.

SECTION 25. *Appointment of Town Counsel.* — The executive-secretary with the approval of the board of selectmen shall annually appoint an attorney-at-law to act as town counsel, who shall draft all bonds, deeds, leases, obligations, conveyances and other legal instruments, and shall perform such other legal services as may be requested of him by vote of the town, by the executive-secretary, by the selectmen or by any board of town officers. Also, when requested, he shall furnish a written opinion on any question that may be submitted to him, and he shall at all times upon request of the selectmen furnish legal advice to any officer of the town who may require his advice upon any subject concerning the duties of such office. He shall prosecute all suits or other legal proceedings ordered to be brought by the town or by the board of selectmen. He shall appear in defense of all actions or suits brought against the town or its officers in their official capacity, and shall try and argue any and all causes in which the town shall be a party, and shall appear at any and all hearings on behalf of the town whenever his services may be required. The board of selectmen shall with the approval of the town counsel have the authority to prosecute, defend and, with the written approval of the town counsel, to compromise all litigation to which the town is a party, and shall have authority to employ special counsel to assist the town counsel whenever in their judgment it may be advisable.

SECTION 26. *Personnel.* — It shall be the duty of the executive-secretary to administer the personnel rules and regulations and classification and compensation plans, now or hereafter provided by the executive-secretary subject to the approval of the board of selectmen, and the executive-secretary shall hear and act on all grievances to come before him under such rules and regulations and classification and compensation plans and the board of selectmen shall act as a board of appeals.

SECTION 27. *Approval of Warrants.* — Warrants for the payment of town funds prepared by the town accountant in accordance with the provisions of section fifty-six of chapter forty-one of the General Laws shall be submitted to the executive-secretary. The approval of any such warrant shall be sufficient authority to authorize payment by the town treasurer. The selectmen may, at any time, require the executive-secretary to approve in writing any debt or obligation which he has incurred on behalf of the town.

SECTION 28. *Receipts paid to Treasurer.* — Any officer or person purporting to act for the town shall pay into the treasury of the town all amounts, including all fees received in accordance with the provisions of any general or special law, received by him on behalf of the town, and shall make a true return thereof to the town accountant, stating the accounts upon which such amounts were received.

SECTION 29. *Certain Town Officers not to make Contracts with the Town.* — It shall be unlawful for any selectman, the executive-secretary, any member of the school committee, or any other elective or appointive official directly or indirectly, to make a contract with the town, or to receive any commission, discount, bonus, gift, contribution, reward or other consideration from, or any share in, the profits of any person or corporation making or performing such a contract unless the official concerned shall forthwith notify the selectmen in writing of the proposed contract, or contract, and of the nature of his interest therein, and shall abstain from doing any official act on behalf of the town in reference thereto. In case such interest exists on the part of an officer whose duty it is to make such a contract on behalf of the town, the contract may be made by another officer or voter of the town duly authorized thereto by vote of the selectmen. Violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the town. Any person violating any provision of this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

SECTION 30. *Estimates of Expenditures.* — On or before the first day of December of each year, the executive-secretary shall submit to the selectmen a careful, detailed estimate in writing of the probable expenditures of the town government for the ensuing fiscal year, stating the amount required to meet the interest and maturing bonds and notes, or other outstanding indebtedness of the town, and showing specifically the amount necessary to be provided for each fund and department, together with a statement of the expenditures of the town for the same purposes in the two preceding years and an estimate of the expenditures for the current year. He shall also submit a statement showing all revenues received by the town in the two preceding fiscal years, together with an estimate of the receipts of the current year and an estimate of the amount of income from all

sources of revenue exclusive of taxes upon property in the ensuing year. For the purpose of enabling the executive-secretary to make up the annual estimate of expenditures, all boards, officers and committees of the town shall, upon his written request, furnish all information in their possession and submit to him in writing a detailed estimate of the appropriations required for the efficient and proper conduct of their respective departments during the next fiscal year. The selectmen, upon receipt of the estimate of the probable expenditures, shall prepare a budget which they shall submit with their recommendations relative thereto to the finance committee on or before the fifteenth day of January of each year.

TRUST FUND COMMISSIONERS.

SECTION 31. There shall be a board of trust fund commissioners of three persons to be appointed by the board of selectmen, one of whom shall be appointed for one year, one for two years, and one for three years, and annually thereafter shall be appointed for terms of three years, which board shall have the care and management of all trust funds not specifically given to any other board or trustee, or trustees, and the board of trust fund commissioners shall include in their duties the care and management of cemetery perpetual care funds.

SECTION 32. *Appointment of Finance Committee.* — There shall be a finance committee consisting of nine registered voters of the town. No elective or appointive town officer or town employee shall be eligible to serve on said committee. The moderator elected under the provisions of this act in the year nineteen hundred and fifty-five shall forthwith appoint one member of the finance committee for a term of one year, one for a term of two years, and one for a term of three years. The moderator elected in each year thereafter shall appoint one member of said committee for a term of three years. At the annual town meeting, under the provisions of this act in the year nineteen hundred and fifty-five, the voters at such meeting shall appoint one member of said committee for a term of one year, one for a term of two years, and one for a term of three years, and thereafter at each annual town meeting there shall be appointed one member for a term of three years. The selectmen elected under the provisions of this act in the year nineteen hundred and fifty-five shall forthwith appoint one member of said committee for a term of one year, one for a term of two years, and one for a term of three years. The selectmen shall each year thereafter appoint one member of said committee for a term of three years. The terms of said members shall commence immediately upon their qualification, and shall continue until their successors are appointed and qualified for office. Said committee shall choose its own officers, and shall cause to be kept a true record of its proceedings. Upon the appointment and qualification of the finance committee as provided

herein the terms of all members then holding office shall expire.

SECTION 33. *Appointments to fill Vacancies.* — Any vacancy in the finance committee shall be filled by the moderator. If any member is absent from three consecutive meetings of said committee, except in case of illness, the secretary shall so notify the town moderator, and the position shall be deemed vacant. The term of office of any person so chosen to fill a vacancy shall expire at the final adjournment of the next succeeding annual town meeting, and the moderator shall appoint his successor to complete the unexpired term of the member in whose office such vacancy originally occurred.

SECTION 34. *Consideration of Town Warrant.* — All articles in any warrant for a town meeting, except articles providing for election of town officers, shall be referred to the finance committee for consideration. The selectmen after drawing any such warrant shall transmit immediately a copy thereof to each member of said committee. A public hearing shall be held before the annual town meeting upon all such articles in the warrant for such meeting, and a notice of such hearing shall be given by publication not less than three days before the time of holding such hearing. The finance committee may hold a public hearing on any or all articles in the warrant for a special town meeting. Notice of such hearing shall be given by publication not less than three days before the time of holding such hearing. Said committee, after due consideration of the subject matter of such articles in any warrant, shall report thereon to the town meeting, in writing, such recommendations as it deems best for the interests of the town. The report of the finance committee on such articles in the warrant for any annual meeting shall be filed with the town clerk not later than fifteen days before the first Monday in March, and the town clerk shall forthwith cause said report to be printed and a copy thereof to be distributed prior to said meeting to each registered voter in the town.

SECTION 35. *Recommendations by Committee.* — It shall be the duty of the finance committee to consider the expenditures in previous years and the estimated requirements for the ensuing fiscal year as set forth in the budget submitted to them by the selectmen. The finance committee shall add to the statement of expenditures and estimates submitted by the board of selectmen another column, giving the amounts which in its opinion should be appropriated for the ensuing fiscal year, and shall further add thereto such explanations and suggestions relating to the proposed appropriations as it may deem expedient, and report thereon as provided in section thirty-four.

No recommendation of the finance committee relating to any article in any town warrant requiring the appropriation of money shall be increased or decreased except by a two-thirds vote of the town meeting.

SECTION 36. *Free Access to Financial Data.* — In the discharge of its duty, said committee shall have free access to all books, records, accounts and bills, and vouchers on which money has been or may be paid from the town treasury. Officers, boards and committees of the town shall, upon request, furnish said committee with facts, figures and any other information pertaining to their several activities, and shall appear in person when so requested.

SECTION 37. *Annual Report.* — The finance committee may make a report with recommendations relative to financial matters and the conduct of town business, which shall be included in the annual town report.

SECTION 38. *Submission of Act and Time of Taking Effect.* — This act shall be submitted to the qualified voters of the town of Ipswich for acceptance at the biennial state election to be held in the year nineteen hundred and fifty-four. The vote shall be taken by ballot in answer to the following question which shall be printed on the official ballot: — "Shall an act passed by the general court in the year nineteen hundred and fifty-four entitled 'An Act establishing a selectmen-executive-secretary form of government for the town of Ipswich' be accepted?" Upon acceptance by a majority of the qualified voters as herein provided, this act shall take effect for the purposes of the annual meeting for the year following its acceptance and for all things that pertain to said election, and shall take full effect upon the election and qualification of the selectmen. Appointees of the officers and boards abolished and consolidated by this act shall continue to draw compensation at the same rate and to exercise like powers, authority and jurisdiction as theretofore provided until provision otherwise is made.

SECTION 39. *Duties of Certain Town Officials relative to Election.* — It shall be the duty of the selectmen and the town clerk in office, and any other town official upon whom by reason of his office a duty devolves by the provisions of this act when accepted by the qualified voters as herein provided, to comply with all the requirements of this act relating to elections, to the end that all things may be done necessary for the nomination and election of the officers first to be elected under this act.

SECTION 40. *By-laws, Rules, etc.* — All laws, by-laws, rules and regulations in force in the town of Ipswich when this act takes effect, not inconsistent with its provisions, whether enacted by authority of the town or any other authority, shall continue in full force and effect until otherwise provided by law, by-law or vote. All other laws, by-laws, rules and regulations, so far as they refer to the town of Ipswich, are hereby repealed and annulled, but such repeal shall not revive any pre-existing enactment.

SECTION 41. *Revocation of Acceptance.* — At any time after the expiration of three years from the date of which this act is accepted, and not less than sixty days before the date of an annual meeting, a petition, signed by not less

than fifteen per cent of the registered voters of the town, may be filed with the selectmen, requesting that the question of revoking the acceptance of this act be submitted to the voters. Thereupon the selectmen shall cause the question of the acceptance to be placed on the ballot at the next annual election. At said election the vote shall be taken in answer to the following question, which shall be printed on the official ballot: — "Shall the acceptance by the town of Ipswich of an act passed by the general court in the year nineteen hundred and fifty-four, entitled 'An Act establishing a selectmen-executive-secretary form of government for the town of Ipswich' be revoked?" If such revocation is favored by a majority of the voters voting thereon by ballot, the acceptance of this act shall be revoked and this act shall become null and void beginning with the annual town meeting next following such vote, which meeting shall be held at such time, in conformity with general law, as may be determined by vote of the town; provided, that all town officers holding office under this act shall continue to hold office until their successors have been duly qualified. At the first annual town election following such vote of revocation the registered voters of the town shall elect by ballot all elective officers and boards whose election to office was required prior to the acceptance of chapter two hundred and forty-seven, of the acts of nineteen hundred and forty-nine, and elect annually thereafter such officers as were elected annually prior to the acceptance of chapter two hundred and forty-seven of the acts of nineteen hundred and forty-nine. It shall be the duty of the selectmen and the town clerk in office, and any other town official upon whom by reason of his office a duty devolves, when this act is revoked, to comply with all the requirements of this section relating to elections, to the end that all things may be done necessary for the nomination and election of the officers required to be elected following the revocation of this act. The said revocation shall not affect any contract then existing, or any action at law, or any suit in equity, or any other proceedings then pending, with the exception of any contract made by the town with the executive-secretary then in office, whose office shall be abolished immediately upon such vote, but who shall receive one month's compensation from the date of such revocation. The board of selectmen shall be charged with all the powers and duties of the executive-secretary which they may discharge by themselves or by a temporary executive-secretary appointed by them. Any special laws relative to said town which are repealed by this act shall be revived by such revocation. Any by-law in force when said revocation takes effect, so far as consistent with the General Laws respecting town government and town officers and the said special laws, shall not be affected thereby.

Approved June 9, 1954.

Chap.621 AN ACT AUTHORIZING THE TOWN OF MARION TO PURCHASE
CERTAIN EXISTING WATER MAINS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Marion is hereby authorized to acquire by purchase one thousand five hundred and fifty-two feet of existing water mains on Beach street and Cove street in Marion, from George B. Crapo, and for this purpose may appropriate the sum of four thousand thirty-two dollars and twenty cents from free cash in its treasury; provided, that no payment shall be made hereunder unless and until said George B. Crapo shall have granted to said town permanent easements for the operation and maintenance of the said water mains.

SECTION 2. Any action taken by a town meeting in the town of Marion in the current year pursuant to authority granted by this act shall be as valid and effective as though this act was in full force and effect at the time of the posting of the warrant for said meeting.

SECTION 3. This act shall take effect upon its passage.

Approved June 10, 1954.

Chap.622 AN ACT RELATIVE TO THE QUALIFICATIONS OF MEMBERS OF
THE NEW BEDFORD, WOODS HOLE, MARTHA'S VINEYARD
AND NANTUCKET STEAMSHIP AUTHORITY.

Be it enacted, etc., as follows:

Section 14 of chapter 544 of the acts of 1948 is hereby amended by adding at the end the following paragraph:—

No member of the Authority shall be in the employ of, or be in any way, directly or indirectly, financially interested in any person, partnership, corporation or association having any business or financial transactions with the Authority, or which is furnishing any transportation of freight or passengers in the area of the Authority, or rendering any service similar to that performed by the Authority.

Approved June 10, 1954.

Chap.623 AN ACT DESIGNATING THE MASSACHUSETTS TURNPIKE AS
THE DISABLED AMERICAN VETERANS TURNPIKE.

Be it enacted, etc., as follows:

SECTION 1. The toll express highway, known as the Massachusetts Turnpike, to be constructed under the provisions of chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, may, upon its completion, be known and designated as the Disabled American Veterans Turnpike, and suitable tablets or markers may be erected along the route of such highway upon its completion bearing the designation "Erected in Honor of the Disabled American Veterans".

Permissive
designation
as Disabled
American
Veterans
Turnpike.

SECTION 2. This act shall take full effect upon its acceptance by the Massachusetts Turnpike Authority.

Approved June 10, 1954.

AN ACT INCREASING THE FEES OF CLERKS OF COURTS FOR THE ENTRY, RECORDING AND TRANSMITTING OF CERTAIN PAPERS TO THE SUPREME JUDICIAL COURT.

Chap. 624

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase immediately the fees of clerks of courts for the entry, recording and transmitting of certain papers to the supreme judicial court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section 4 of chapter 262 of the General Laws is hereby amended by striking out the paragraph contained in lines 30 and 31, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: —

G. L. (Ter.
Ed.), 262, § 4,
amended.

For the entry, record and transmission of papers of each question or cause in the supreme judicial court for the commonwealth, five dollars.

Entry fees.

Approved June 10, 1954.

AN ACT RELATIVE TO THE CITIZENSHIP STATUS OF VETERANS IN CERTAIN HOUSING PROJECTS.

Chap. 625

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to correct a certain inequity which exists with respect to the exclusion of certain aliens from occupancy in certain housing projects, therefore, this act is declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section 26FF of chapter 121 of the General Laws is hereby amended by striking out clause (d), as appearing in section 1 of chapter 574 of the acts of 1946, and inserting in place thereof the following clause: — (d) It shall not accept as a tenant in any project any person who is not a citizen of the United States; provided, however, that aliens who have served honorably in the armed forces of the United States, and who have been honorably discharged therefrom, shall be admitted to occupancy provided they have made application for such citizenship.

G. L. (Ter.
Ed.), 121,
§ 26FF, etc.,
amended.

Citizenship
requirement,
etc., for
occupancy
in certain
housing
projects.

Approved June 10, 1954.

AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO ACQUIRE A CERTAIN RECREATION AREA IN THE EAST BOSTON DISTRICT OF THE CITY OF BOSTON.

Chap. 626

Be it enacted, etc., as follows:

SECTION 1. Upon the conveyance by the commonwealth to the city of Boston of the recreation area at or near the waterfront extending from Wordsworth street (extended) to

Thurston street in the East Boston district of the city of Boston under the provisions of chapter four hundred and thirty-one of the acts of nineteen hundred and forty-nine, the metropolitan district commission, on behalf of the commonwealth, shall forthwith take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, said recreation area as a part of the system of metropolitan parks under the control of said commission.

SECTION 2. This act shall take effect upon its passage.

Approved June 10, 1954.

Chap. 627 AN ACT FURTHER DEFINING THE RIGHTS AND PRIVILEGES OF VETERANS, AND EXTENDING SUCH RIGHTS AND PRIVILEGES TO VETERANS OF THE KOREAN WAR.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide forthwith for certain rights and privileges for veterans, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 4,
§ 7, etc.,
amended.

SECTION 1. Section 7 of chapter 4 of the General Laws, as most recently amended by section 2 of chapter 319 of the acts of 1953, is hereby further amended by adding at the end the following clause: —

Definitions.

Forty-third, "Veteran" shall mean any person, male or female, including a nurse, (a) whose last discharge or release from his wartime service, as defined herein, was under honorable conditions as defined in defense department regulations and who (b) served in the army, navy, marine corps, coast guard or air force of the United States for not less than ninety days' active service, provided that ten days thereof was for wartime service, unless for wartime service of a lesser period he was awarded a service-connected disability or a Purple Heart.

"Wartime service" shall mean service performed by a "Spanish War veteran", a "World War I veteran", a "World War II veteran", a "Korean veteran" or a member of the "WAAC", as defined in this clause during any of the periods of time described herein or for which such medals described below are awarded.

"Spanish War veteran" shall mean any veteran who performed such wartime service between February fifteenth, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two.

"World War I veteran" shall mean any veteran who (a) performed such wartime service between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, or (b) has been awarded the World War I Victory Medal, or (c) performed such service between March twenty-fifth, nineteen hundred and seven-

teen and August fifth, nineteen hundred and seventeen, as a Massachusetts National Guardsman.

“World War II veteran” shall mean any veteran who performed such wartime service between September sixteenth, nineteen hundred and forty and December thirty-first, nineteen hundred and forty-six.

“Korean veteran” shall mean any veteran who performed such wartime service between June twenty-fifth, nineteen hundred and fifty and the termination of the Korean emergency as declared by proper federal authority.

“Korean emergency” shall mean the period between June twenty-fifth, nineteen hundred and fifty and the end of the Korean emergency as declared by proper federal authority.

“WAAC” shall mean any woman who was discharged and so served in any corps or unit of the United States established for the purpose of enabling women to serve with, or as auxiliary to, the armed forces of the United States and such woman shall be deemed to be a veteran.

None of the following shall be deemed to be a “veteran”:

(a) Any person who at the time of entering into the armed forces of the United States had declared his intention to become a subject or citizen of the United States and withdrew his intention under the provisions of the act of Congress approved July ninth, nineteen hundred and eighteen.

(b) Any person who was discharged from the said armed forces on his own application or solicitation by reason of his being an enemy alien.

(c) Any person who was designated as a conscientious objector upon his last discharge or release from the armed forces of the United States.

(d) Any person who has been proved guilty of wilful desertion.

(e) Any person whose only service in the armed forces of the United States consists of his service as a member of the coast guard auxiliary or as a temporary member of the coast guard reserve, or both.

(f) Any person whose last discharge or release from the armed forces is dishonorable.

“Armed forces” shall include army, navy, marine corps, air force and coast guard.

SECTION 2. The first paragraph of section 12 of chapter 31 of the General Laws, as appearing in section 5 of chapter 271 of the acts of 1946, is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence:— The director shall combine into one list all similar eligible lists for the same position in the order of ratings established in examinations and in accordance with the law relating to preference to veterans and disabled veterans.

G. L. (Ter. Ed.), 31, § 12, etc., amended.

Eligible lists for civil service appointments.

SECTION 3. Said chapter 31 of the General Laws is hereby further amended by striking out section 21, as most recently amended by chapter 663 of the acts of 1951, and inserting in place thereof the following section:— *Section 21.* The

G. L. (Ter. Ed.), 31, § 21, etc., amended.

word "veteran" as used in this chapter shall mean: any citizen who —

"Veteran",
defined for
purposes of
civil service
preference.

(1) (a) Is a veteran as defined in clause Forty-third of section seven of chapter four, or (b) meets all the requirements of said clause Forty-third except that instead of performing wartime service as so defined he has been awarded one of the campaign badges enumerated in this section, or has been awarded the congressional medal of honor; and

(2) (a) Whose domicil was in Massachusetts for not less than six months prior to his entry into such service in the armed forces, or (b) who has resided in the commonwealth for five consecutive years next prior to the date of claiming preference as a veteran with the proper authority.

"Campaign badges" shall include the following and no other: —

Indian Campaign, Mexican Service, Mexican Border Service, Army of Cuban Occupation, Army of Puerto Rican Occupation, Nicaraguan Campaign nineteen hundred and twelve, Haitian Campaign nineteen hundred and fifteen, or nineteen hundred and nineteen and nineteen hundred and twenty, Dominican Campaign, Second Nicaraguan Campaign, Yangtze Service, Army of Occupation of Germany, China Service, Navy Occupation Service, Army of Occupation, or Medal for Humane Action.

"Wartime service" as used in this chapter shall mean active service in the armed forces of the United States during any period of time for which such medal or badge was awarded.

Any person eligible for a medal or badge as defined in this section and who presents proof of such eligibility satisfactory to the director, shall be deemed to have been awarded such medal or badge.

G. L. (Ter.
Ed.), 31,
§ 22, etc.,
amended.

Medal of
honor holder
exempt from
examination.

SECTION 4. Section 22 of said chapter 31 of the General Laws is hereby amended by striking out the first sentence, as amended by section 29 of chapter 238 of the acts of 1939, and inserting in place thereof the following sentence: — A person who has received a medal of honor as provided in section twenty-one may apply to the director for appointment or employment in the classified civil service without examination.

G. L. (Ter.
Ed.), 31,
§ 23, etc.,
amended.

Preference for
veterans
passing
civil service
examinations.

SECTION 5. Chapter 31 of the General Laws is hereby amended by striking out section 23, as most recently amended by section 1 of chapter 642 of the acts of 1949, and inserting in place thereof the following section: — *Section 23.* The names of persons who pass examinations for appointment to any position classified under the civil service shall be placed upon the eligible lists in the following order: —

(1) Disabled veterans as defined in section twenty-three A, in the order of their respective standing; (2) veterans in the order of their respective standing; (3) persons described in section twenty-three B in the order of their respective standing; (4) other applicants in the order of their respective standing. Upon receipt of a requisition not especially call-

ing for women, names shall be certified from such lists according to the method of certification prescribed by the civil service rules applying to civilians. A disabled veteran shall be appointed and employed in preference to all other persons, including veterans.

SECTION 6. Said chapter 31 of the General Laws is hereby amended by inserting after section 23 the two following sections: — *Section 23A.* "Disabled veteran", as used in this chapter, shall mean any veteran, as defined in section twenty-one, who has a continuing disability at the time of application for appointment and who presents a certificate of any physician, approved by the director, that his disability is not such as to prevent the efficient performance of the duties of the position to which he is eligible; and who (1) shall present proof satisfactory to the director that such disability is a service-incurred disability of not less than ten per cent based on wartime service for which he is receiving compensation from the veterans' administration; or who (2) has been retired by the armed forces for such permanent physical disability, incurred by wartime service and whose disability retirement rating is not less than thirty per cent at the time of application for appointment; or who (3) shall present a certificate from a physician, approved by the director, that he is substantially handicapped for industrial life through such disability, and shall present proof satisfactory to the director that such disability was received in line of duty in the armed forces of the United States during wartime service.

G. L. (Ter. Ed.), 31, new §§ 23A, 23B, added.
"Disabled veteran", defined for purposes of civil service employment.

Section 23B. The widow or widowed mother of a veteran who was killed in action or died from service-connected disability incurred in wartime service, upon presenting proof from official sources, of such facts, satisfactory to the director, and that she has not remarried, shall be entitled to the preference for appointment to positions classified under the civil service laws provided under section twenty-three.

Preference to widows or widowed mothers of veterans, granted.

SECTION 7. Section 1 of chapter 32 of the General Laws is hereby amended by striking out the paragraph defining "Veteran", as most recently amended by section 1 of chapter 526 of the acts of 1951, and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 32, § 1, etc., amended.

"Veteran", any person who (a) is a veteran as defined in clause Forty-third of section seven of chapter four; or (b) meets all the requirements of said clause Forty-third except that instead of performing wartime service as so defined he has been awarded one of the campaign badges enumerated in section twenty-one of chapter thirty-one.

"Veteran", defined for purposes of state retirement.

SECTION 8. Subdivision (1) of section 4 of chapter 32 of the General Laws is hereby amended by striking out paragraph (h), as appearing in section 1 of chapter 658 of the acts of 1945, and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 32, § 4, etc., amended.

(h) The period or periods during which any member who is a veteran as defined in section one was on leave of absence

Creditable service for veteran

while serving
with armed
forces.

from the governmental unit to which the system of which he is a member pertains, for the purpose of serving in such campaign and until he was discharged or released from such service in the armed forces, shall be allowed as creditable service.

Any such period of leave of absence which is subsequent to his becoming a member of such system shall be counted as membership service, and any such period prior thereto shall be counted as prior service; provided, that he would have been entitled to such credit in the event he had continued in the active service of such governmental unit during the period of time covered by such leave of absence.

Any member who served in the armed forces between January first, nineteen hundred and forty and July first, nineteen hundred and fifty-five, shall have such actual service credited to him as creditable service when reinstated or re-employed in his former position or in a similar position within two years of his discharge or release from such service. The provisions of sections nine and nine A of chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as amended, and as may be further amended, shall be applicable to any such veteran referred to therein.

G. L. (Ter.
Ed.), 32,
§§ 49, 50, 51,
stricken out.

SECTION 9. Said chapter 32 of the General Laws is hereby amended by striking out sections 49, 50 and 51, and the caption preceding said section 49.

G. L. (Ter.
Ed.), 32,
§ 52, etc.,
amended.

SECTION 10. Section 52 of said chapter 32 of the General Laws, as amended by section 1 of chapter 114 of the acts of 1932, is hereby further amended by striking out, in line 2, the words "of the civil war or".

G. L. (Ter.
Ed.), 32,
§ 53, etc.,
amended.

SECTION 11. Section 53 of chapter 32 of the General Laws, as amended by section 2 of chapter 114 of the acts of 1932, is hereby further amended by striking out, in lines 1 and 2, the words "of the civil war or".

G. L. (Ter.
Ed.), 32,
§ 57, etc.,
amended.

SECTION 12. Section 57 of chapter 32 of the General Laws, as most recently amended by section 2 of chapter 668 of the acts of 1950, is hereby amended by inserting after the word "veteran", in line 1, the words: —, including an army nurse.

G. L. (Ter.
Ed.), 32,
§ 58A, etc.,
amended.

SECTION 13. Chapter 32 of the General Laws is hereby amended by striking out section 58A, inserted by chapter 671 of the acts of 1945, and inserting in place thereof the following section: — *Section 58A.* A veteran eligible to retirement under section fifty-six, fifty-seven or fifty-eight, who was employed in the service of the commonwealth, or any county, city, town or district thereof, prior to his entry into wartime service as defined in section twenty-one of chapter thirty-one, and upon whose discharge or release therefrom was reinstated or re-employed within two years in his former position or a similar position, shall have credited to him as creditable service the period of his wartime service until the date of his discharge or release from such service, which shall include credit for any actual service in the armed forces between January first, nineteen hundred and forty and July first, nineteen hundred and fifty-five.

Certain
military
service to
be deemed
creditable
service.

SECTION 14. Chapter 32 of the General Laws is hereby amended by striking out section 60, as most recently amended by chapter 678 of the acts of 1945, and inserting in place thereof the following section: — *Section 60.* Sections fifty-six to fifty-nine, inclusive, shall be in effect in any county, city, town or district which accepted them or accepted corresponding provisions of law prior to January first, nineteen hundred and forty-six, by the retiring authority. No veteran whose employment first began after June thirtieth, nineteen hundred and thirty-nine, shall be subject to the provisions of sections fifty-six to fifty-nine, inclusive.

G. L. (Ter. Ed.), 32, § 60, etc., amended.

Acceptance or certain sections of the retirement law.

Any person whose employment first began prior to January first, nineteen hundred and forty-six, but who left the service of the commonwealth or of any of its political subdivisions for more than two consecutive years, shall not, on account of such service prior to said two-year period, be subject to the provisions of sections fifty-six to fifty-nine, inclusive.

SECTION 15. Section sixty A of chapter thirty-two of the General Laws, as most recently amended by section 3 of chapter 483 of the acts of 1945, is hereby repealed.

G. L. (Ter. Ed.), 32, § 60A, etc., repealed.

SECTION 16. Clause (12) of section 5 of chapter 40 of the General Laws is hereby amended by inserting after the words "World War II", in line 7, as appearing in section 2 of chapter 27 of the acts of 1950, the words: — or during the Korean emergency.

G. L. (Ter. Ed.), 40, § 5, etc., amended.

SECTION 17. Section 105 of chapter 41 of the General Laws, as most recently amended by section 2 of chapter 132 of the acts of 1936, is hereby further amended by adding at the end the following sentence: — "War" as used in this section shall include the Korean emergency.

G. L. (Ter. Ed.), 41, § 105, etc., amended.

SECTION 18. Chapter 41 of the General Laws is hereby amended by striking out section 112, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 112.* In towns in which the provisions of chapter thirty-one and the rules governing the civil service have not been applied to the labor service, the selectmen and the city councils shall take any necessary action to secure the employment of veterans, as defined in clause Forty-third of section seven of chapter four, in the labor service of their respective cities and towns in preference to all other persons.

G. L. (Ter. Ed.), 41, § 112, amended.

Employment of veterans in labor service.

SECTION 19. Section 1 of chapter 51 of the General Laws, as most recently amended by section 10 of chapter 453 of the acts of 1943, is hereby further amended by striking out, in lines 20 to 23, the words "and no person who, having served in the army or navy of the United States in time of war, has been honorably discharged from such service," and inserting in place thereof the following: — and no veteran.

G. L. (Ter. Ed.), 51, § 1, etc., amended.

Qualifications of voters, regulated.

SECTION 20. Chapter 69 of the General Laws is hereby amended by striking out section 7A, inserted by section 1 of chapter 439 of the acts of 1946, and inserting in place thereof the following section: — *Section 7A.* In addition to

G. L. (Ter. Ed.), 69, § 7A, etc., amended.

University extension courses offered free to veterans, etc.

the persons entitled to take university extension courses free of charge under section seven, the following persons shall be entitled to take such courses free of charge for a total period of not more than four years: —

Residents of the commonwealth while serving in the armed forces of the United States and stationed in the commonwealth.

World War II and Korean veterans, as defined in clause Forty-third of section seven of chapter four, who are residents of the commonwealth.

The commonwealth may accept and use such federal funds as may be available for the purposes of this section.

G. L. (Ter. Ed.), 69, § 7B, etc., amended.

SECTION 21. Section 7B of chapter 69 of the General Laws, as most recently amended by chapter 497 of the acts of 1952, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: — The commonwealth, acting through the department, may contribute toward the expenses of the higher education of any child, resident in the commonwealth, who has matriculated between the ages of sixteen and twenty-four, inclusive, whose father or mother was a World War I or II or Korean veteran as defined in clause Forty-third of section seven of chapter four, and whose wartime service was credited to Massachusetts, and who was killed in action or died from other cause as a result of such service; provided, that claim for reimbursement is filed within two years after such matriculation.

Contribution by commonwealth toward expenses of education for children of certain veterans, authorized.

G. L. (Ter. Ed.), 101, § 24, etc., amended.

SECTION 22. Chapter 101 of the General Laws is hereby amended by striking out section 24, as amended by chapter 395 of the acts of 1951, and inserting in place thereof the following section: — *Section 24.* The director may grant without fee, on proof of identity, a special state or county license to act as hawker or peddler, subject otherwise to this chapter, to a World War I or II or Korean veteran, as defined in clause Forty-third of section seven of chapter four, who is disabled as defined in clauses (1) and (2) of section twenty-three A of chapter thirty-two; and to any blind person resident in the commonwealth and approved by the director of the division of the blind; provided, that no license under this section shall authorize the holder thereof to act as hawker or peddler on any public street or sidewalk in any city or town unless and until he shall have received written authority so to do from the chief of police or other official having charge of the police therein.

Special state or county licenses to certain disabled veterans.

G. L. (Ter. Ed.), 46, § 1, etc., amended.

SECTION 23. Section 1 of chapter 46 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in chapter 51 of the acts of 1941, and inserting in place thereof the following paragraph: —

Contents of death record certificates.

In the record of deaths, date of record, date of death, name of deceased, sex, color, condition (whether single, widowed, married or divorced), supposed age, residence, occupation, place of death, place of birth, names and places of birth of the parents, maiden name of the mother, disease

or cause of death, defined so that it can be classified under the international classification of causes of death, place of burial, name of the cemetery, if any, and if deceased was a veteran, as defined in section ten of chapter forty-six, a recital as required by section ten, and if deceased was a married or divorced woman or a widow, her maiden name and the name of her husband. The word "residence", as used in this section, shall be held to include the name of the street and number, if any, of the house.

SECTION 24. Said chapter 46 of the General Laws is hereby amended by striking out section 10, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 10.* A physician or officer furnishing a certificate of death as required by section nine or by section forty-five of chapter one hundred and fourteen, shall, if the deceased, to the best of his knowledge and belief, was a Spanish War, World War I or II or Korean veteran, as defined in clause Forty-third of section seven of chapter four, or served in the Mexican border service of nineteen hundred and sixteen and nineteen hundred and seventeen, insert in the certificate a recital to that effect, and shall also certify in such certificate both the primary and the secondary or immediate cause of death as nearly as he can state the same. For neglect to comply with any provision of this section, such physician or officer shall forfeit ten dollars.

G. L. (Ter. Ed.), 46, § 10, amended.

Physician or officer to state causes of death of certain veterans.

SECTION 25. Chapter 113 of the General Laws is hereby amended by striking out section 2, as so appearing, and inserting in place thereof the following section: — *Section 2.* Such permission shall not be given to take the body of any veteran as defined in section ten of chapter forty-six, or the body of any stranger or traveler who died suddenly, or the body of a person who, during his last sickness, of his own accord requested that his body be buried or delivered to a friend, but such body shall, in conformity with such request, if any, be buried, or delivered to such friend.

G. L. (Ter. Ed.), 113, § 2, amended.

Disposition of certain bodies, regulated.

SECTION 26. Section 45 of said chapter 114 of the General Laws, as so appearing, is hereby amended by striking out, in lines 32 and 33, the words "served in the army, navy or marine corps of the United States in any war in which it has been engaged" and inserting in place thereof the following: — was a veteran.

G. L. (Ter. Ed.), 114, § 45, amended.

SECTION 27. Section 46 of said chapter 114 of the General Laws, as so appearing, is hereby amended by striking out, in lines 17, 18 and 19, the words "served in the army, navy or marine corps of the United States in any war in which it has been engaged, a recital to that effect, specifying the war" and inserting in place thereof the following: — was a veteran, a recital as required by section ten of chapter forty-six.

G. L. (Ter. Ed.), 114, § 46, amended.

SECTION 28. Section 47 of said chapter 114 of the General Laws, as so appearing, is hereby amended by striking out, in line 14, the words "in any war in which the United States has been engaged" and inserting in place thereof the

G. L. (Ter. Ed.), 114, § 47, amended.

words: — as a veteran as defined in section ten of chapter forty-six.

G. L. (Ter. Ed.), 141, § 2A, etc., amended.

Examination credits for certain veterans applying for electricians' licenses.

SECTION 29. Chapter 141 of the General Laws is hereby amended by striking out section 2A, as inserted by section 2 of chapter 480 of the acts of 1946, and inserting in place thereof the following section: — *Section 2A.* In the conduct of the examinations they shall make uniform requirements for all towns, which may be revised from time to time, as circumstances require. They shall grant a credit of five per cent to the examination standing of each applicant who is a veteran, as defined in clause Forty-third of section seven of chapter four; provided, that such applicants make application within one year of their discharge or release as aforesaid, or within one year of the effective date of this section, whichever is the latest. Said examinations shall be sufficiently frequent to give ample opportunity for all applicants to be thoroughly and carefully examined, may be written or in practical work, and may be supervised by one or more of the examiners, but no license shall be granted without the sanction of the examiners.

G. L. (Ter. Ed.), 142, § 4, etc., amended.

Examination credits for certain veterans applying for plumbers' licenses.

SECTION 30. Section 4 of chapter 142 of the General Laws is hereby amended by striking out the last paragraph, inserted by chapter 502 of the acts of 1946, and inserting in place thereof the following paragraph: —

They shall grant a credit of five per cent to the examination standing of each applicant who is a veteran, as defined in clause Forty-third of section seven of chapter four; provided, that such applicants make application within one year of their discharge or release as aforesaid or within one year of the effective date of this paragraph, whichever date is the latest.

G. L. (Ter. Ed.), 142, § 11, etc., amended.

Wartime service deemed part of practical experience in certain cases.

SECTION 31. Said chapter 142 of the General Laws is hereby amended by striking out section 11, as most recently amended by section 11 of chapter 703 of the acts of 1945, and inserting in place thereof the following section: — *Section 11.* The said inspector of buildings, if any, otherwise the board of health, of each city and town, shall, within three months after it becomes subject to sections one to sixteen, inclusive, appoint from the classified civil service list one or more inspectors of plumbing, who shall be practical plumbers and shall have had practical experience either as master plumbers or journeymen, continuously, during five years next preceding their appointment; provided, that any time spent in wartime service as defined in clause Forty-third of section seven of chapter four shall be deemed a part of the continuous practical experience so required. Such inspector of buildings or board may remove them subject to chapter thirty-one, and shall, subject to approval of the city council or selectmen, fix their compensation, which shall be paid by the city or town. Said inspectors of plumbing shall inspect all plumbing in process of construction, alteration or repair for which permits are granted within their respective cities and towns, and shall report to their appointing power or

board violations of any law, ordinance, by-law, rule or regulation relative to plumbing; they shall perform such other appropriate duties as may be required. The approval of plumbing by any inspectors other than those provided for by this chapter shall not be a compliance therewith.

SECTION 32. Section 26 of chapter 149 of the General Laws, as most recently amended by chapter 334 of the acts of 1947, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — In the employment of mechanics, teamsters, chauffeurs and laborers in the construction of public works by the commonwealth, or by a county, town or district, or by persons contracting or subcontracting for such works, preference shall first be given to citizens of the commonwealth who have been residents of the commonwealth for at least six months at the commencement of their employment who are male veterans as defined in clause Forty-third of section seven of chapter four, and who are qualified to perform the work to which the employment relates; and secondly, to citizens of the commonwealth generally who have been residents of the commonwealth for at least six months at the commencement of their employment, and if they cannot be obtained in sufficient numbers, then to citizens of the United States, and every contract for such work shall contain a provision to this effect.

G. L. (Ter. Ed.), 149, § 26, etc., amended.

Certain veterans to have preference in employment in construction of public works.

SECTION 33. Chapter 175 of the General Laws is hereby amended by striking out section 167A, as most recently amended by chapter 368 of the acts of 1945, and inserting in place thereof the following section: — *Section 167A.* No fee for an insurance broker's license issued under section one hundred and sixty-six, one hundred and sixty-seven, or one hundred and seventy-three shall be required of or on account of any veteran resident in this commonwealth, or of or on account of any blind person, if he presents to the commissioner satisfactory evidence of his identity; or of or on account of his widow if he held such a license immediately prior to his death.

G. L. (Ter. Ed.), 175, § 167A, etc., amended.

Veterans exempt from payment of insurance brokers' license fees.

SECTION 34. Chapter 262 of the General Laws is hereby amended by striking out section 46A, as most recently amended by chapter 218 of the acts of 1945, and inserting in place thereof the following section: — *Section 46A.* No fee for a copy of any record relating to the birth, death, marriage, divorce, adoption or change of name of any veteran, as defined in clause Forty-third of section seven of chapter four, or relating to any person a copy of whose like record is necessary to assist in proving a claim against the United States or the commonwealth by the veteran or by his or her spouse, widow, widower, children, dependents or legal representatives, shall be demanded or received by any officer of the commonwealth, or of any county, city or town thereof, who has charge of such records, from the veteran or from his or her spouse, widow, widower, children, dependents or legal representatives; provided, that such copy is for use

G. L. (Ter. Ed.), 262, § 46A, etc., amended.

Veterans exempt from payment of fees for copies of certain records.

in relation to such a claim against the United States or the commonwealth.

G. L. (Ter. Ed.), 115, § 1, etc., amended.

SECTION 35. Chapter 115 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 590 of the acts of 1951, and inserting in place thereof the following section:—*Section 1.* The following words, as used in this chapter, unless the context otherwise requires, shall have the following meaning:—

Definitions.

“Commissioner”, commissioner of veterans’ services.

“Dependent”, the wife, husband, widow, child, mother or father of a veteran, as hereinafter defined, including any person who stood in the relationship of a parent to such veteran for the five years next preceding the commencement of his wartime service; provided, that no child of a veteran who is more than eighteen years of age shall be deemed a dependent, unless such child is attending school for the purpose of completing a regulation high school course or its equivalent, or unless he is mentally or physically unable to support himself, and his disability existed before he attained that age.

“Veteran”, any person who (a) is a veteran as defined in clause Forty-third of section seven of chapter four; or (b) meets all the requirements of said clause Forty-third except that instead of performing wartime service as so defined he has served on active duty in the Mexican border service, between June thirteenth, nineteen hundred and sixteen, and February third, nineteen hundred and seventeen; or (c) has been awarded the Civil War or Indian Campaign medal.

“Veterans’ agent”, the person appointed under section three to disburse veterans’ benefits in any city or town, or, if no such appointment has been made, the mayor of the city or the selectmen of the town disbursing such benefits; in Boston, the veterans benefits and services commissioner.

“Veterans’ benefits”, the benefits provided by this chapter. When used in any statute, ordinance, by-law, rule or regulation, the phrases “state aid”, “military aid”, “soldiers’ relief”, “soldiers’ burial”, or any words or phrases connoting the same, shall mean veterans’ benefits.

G. L. (Ter. Ed.), 115, new § 1A, added.

Hospital benefits extended to certain veterans.

SECTION 36. Said chapter 115 of the General Laws is hereby further amended by inserting after section 1 the following section:—*Section 1A.* Any person shall be entitled to the hospital benefits available to veterans under this chapter, who meets all the requirements of clause Forty-third of section seven of chapter four, except that instead of performing wartime service as therein defined, he has been awarded any of the following campaign badges:—

First Nicaraguan, Haitian, Dominican, Yangtze River, Second Yangtze River, Second Nicaraguan, Vera Cruz, Mexican Service; provided, that in any case the service of such person was credited to Massachusetts, or such person has a settlement in the commonwealth.

Such hospital benefits shall be granted subject to the other provisions of this chapter.

SECTION 37. Said chapter 115 of the General Laws is hereby further amended by striking out section 6A, inserted by chapter 660 of the acts of 1949, and inserting in place thereof the following section:— *Section 6A.* As used in this section and in sections six B and six C, the word “veteran” means any person who has performed wartime service as defined in clause Forty-third of section seven of chapter four, who was a resident of this commonwealth at the time of his entry into such service, and whose last discharge or release from the armed forces of the United States was under other than dishonorable conditions, and who has continued to be a resident of this commonwealth.

G. L. (Ter. Ed.), 115, § 6A, etc., amended.

“Veteran”, defined for purposes of soldiers’ relief.

SECTION 38. Section two of chapter seven hundred and ninety-seven of the acts of nineteen hundred and fifty, as amended by section seven of chapter five hundred and ninety of the acts of nineteen hundred and fifty-one, and section three of said chapter seven hundred and ninety-seven, are hereby repealed.

SECTION 39. Section one of chapter eleven of the acts of nineteen hundred and forty-two, as most recently amended by chapter five hundred and forty-nine of the acts of nineteen hundred and forty-eight and section ten of said chapter eleven are hereby repealed.

SECTION 40. Chapter four hundred and eight of the acts of nineteen hundred and forty-three is hereby repealed.

SECTION 41. No person actually receiving veterans’ benefits or hospital benefits or treatment on the effective date of this act shall be deprived of such benefits because of the provisions of this act.

Effect on present recipients of benefits.

SECTION 42. The General Laws are hereby amended by inserting after chapter 115 the following chapter:—

G. L. (Ter. Ed.), new chapter 115A, added.

CHAPTER 115A.

SOLDIERS’ HOMES.

Section 1. Any person who (a) is a veteran as defined in clause Forty-third of section seven of chapter four, or (b) meets all the requirements of said clause Forty-third, except that instead of performing wartime service as so defined, has performed not less than ninety days’ active service in any of the campaigns or expeditions enumerated in section two, shall be entitled to out-patient treatment at, admission to, and hospitalization in, the Soldiers’ Home in Massachusetts and the Soldiers’ Home in Holyoke, subject to the provisions of section three.

Out-patient treatment, admission, etc., made available for veterans at Soldiers’ Homes.

Section 2. Service referred to in section one shall mean service during any of the following periods, both dates inclusive:— (a) Mexican Border Service, between June nineteenth, nineteen hundred and sixteen and February third, nineteen hundred and seventeen, provided, that such service was in the Massachusetts National Guard; (b) Cuban Pacification Campaign, between October sixth, nineteen hundred and six and April first, nineteen hundred and nine;

“Service”, defined for purposes of receiving treatment, admission, etc.

(c) Nicaraguan Campaign, between August twenty-eighth, nineteen hundred and twelve and October thirtieth, nineteen hundred and twenty-nine; (d) Vera Cruz Expedition, between April twenty-first, nineteen hundred and fourteen and November twenty-sixth, nineteen hundred and fourteen; (e) Dominican Campaigns, between May fourth, nineteen hundred and sixteen and September seventeenth, nineteen hundred and twenty-four; (f) Haitian Campaign, between July ninth, nineteen hundred and fourteen and October thirtieth, nineteen hundred and twenty-nine; (g) China Expeditionary Service, between October thirtieth, nineteen hundred and twenty-nine and June thirtieth, nineteen hundred and thirty; provided, in any case, that proof of service in the campaign or expedition mentioned is made.

Residential
requirements.

Section 3. No person shall be entitled to the treatment, admission or hospitalization referred to in sections one and two, unless at the time of his application for such treatment, admission or hospitalization he has a settlement in a city or town within the commonwealth, or, in the event that he has no such settlement, has actually resided within the commonwealth continuously for five years next preceding the date of such application. The burden of proof of such settlement or residence shall be the responsibility of the veteran.

Certain mili-
tary service
for Poland
to entitle
person to
above benefits.

Section 4. Any person who was recruited in the United States and who served in the military service of Poland while said country was allied with the United States in World War I, between October seventh, nineteen hundred and seventeen, and January thirty-first, nineteen hundred and nineteen, both dates inclusive, shall be entitled to out-patient treatment at, admission to, and hospitalization in the Soldiers' Home in Massachusetts and the Soldiers' Home in Holyoke; provided, that he produces information in conformity with the rules and regulations of said Homes, that he has been honorably discharged from said service, and is a citizen of the commonwealth and has a legal settlement in a city or town therein, or if not such a citizen is a citizen of the United States and has such a settlement; but no such person shall be treated as an out-patient at, admitted to, or hospitalized in, said Homes if the treatment, admission or hospitalization of any person qualified under the provisions of section one would thereby be postponed or denied.

Power of
trustees of
Soldiers'
Homes to
regulate
treatment,
admission
and hospi-
talization.

Section 5. Nothing in this chapter shall be construed to prevent the trustees of the Soldiers' Home in Massachusetts and the trustees of the Soldiers' Home in Holyoke from adopting, issuing and promulgating reasonable rules and regulations governing out-patient treatment at, admission to, and hospitalization in, said Homes; providing for such treatment, admission and hospitalization for any person qualified under section one otherwise than by settlement or residence if such person had at some time prior to his application for such treatment, admission or hospitalization, qualified as to a previous settlement within this commonwealth under clause Fifth of section one of chapter one hundred

and sixteen; providing for emergency treatment for any person in need of such treatment by reason of accident or sudden illness, until such person can be transferred to some other institution or place; providing for proper disciplinary action, including discharge from said Homes, of any person whose conduct therein or while a member thereof is deemed to be inimical to the welfare of other members; providing for the exclusion from the respective Homes, either temporarily or permanently, of any person who has received a disciplinary discharge from either Home or from any Veterans' Administration facility; nor providing for the exclusion from out-patient treatment at, admission to, or hospitalization in, said Homes, of any person whose disability or illness may be diagnosed as neuropsychiatric, neurosurgical or tubercular, or other ailment or condition for the treatment and care of which proper facilities are not available at said Homes.

SECTION 43. Section 1 of chapter 475 of the acts of 1946 is hereby amended by striking out the last sentence.

SECTION 44. Chapter seven hundred and forty-nine of the acts of nineteen hundred and fifty, chapter seven hundred and eighty of the acts of nineteen hundred and fifty-one, and chapters four hundred and forty-four and six hundred and twenty-eight of the acts of nineteen hundred and fifty-two are hereby repealed.

SECTION 45. Clause Fifth of section 1 of chapter 116 of the General Laws, as appearing in section 6 of chapter 590 of the acts of 1951, is hereby amended by striking out, in lines 5 and 6, the words "or any war between the United States and any foreign power" and inserting in place thereof the following:— or between February third, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, or between September sixteenth, nineteen hundred and forty and December thirty-first, nineteen hundred and forty-six.

G. L. (Ter. Ed.), 116, § 1, etc., amended.

SECTION 46. Said Clause Fifth of said section 1 of chapter 116 of the General Laws, as so appearing, is hereby further amended by striking out, in line 50, the word "dishonorable" and inserting in place thereof the words:— honorable or by release or discharge under honorable conditions, as defined in defense department regulations.

G. L. (Ter. Ed.), 116, § 1, etc., further amended.

SECTION 47. Chapter 708 of the acts of 1941 is hereby amended by striking out section 16 and inserting in place thereof the following section:— *Section 16.* Affidavits and commissions to take depositions of any person serving in or with the armed forces of the United States during the period this act is in effect may be executed before and by any commissioned officer in the active service of the armed forces of the United States with the rank of second lieutenant or higher in the army, air force or marine corps, or ensign or higher in the navy or United States Coast Guard, wherever such person serving is located; and affidavits and depositions of such persons so taken, if otherwise in accordance

with law, shall be received and may be used in evidence, or for any other purpose, in the same manner as if taken before a commissioner of the commonwealth appointed to take depositions in other states. No such affidavit or commission shall be rendered invalid by the failure to state therein the place of execution. No authentication of the officer's certificate of acknowledgment shall be required. Each such officer shall specify in writing the date and the fact that the person executing the affidavit or commission is serving in or with the armed forces of the United States, and such officer shall add after his signature his rank and organization.

SECTION 48. Section seventeen of said chapter seven hundred and eight is hereby repealed.

SECTION 49. Said chapter 708 is hereby further amended by striking out section 18 and inserting in place thereof the following: — *Section 18.* For the purposes aforesaid, the officers above named shall have the power and authority as commissioners, notaries public and justices of the peace to administer oaths and take depositions, affidavits and acknowledgments of persons serving in or with the armed forces of the United States in accordance with the provisions of section sixteen of this act and section eleven of chapter two hundred and twenty-two of the General Laws.

SECTION 50. Chapter one hundred and sixty of the acts of nineteen hundred and forty-three is hereby repealed.

SECTION 51. Chapter 708 of the acts of 1941 is hereby amended by striking out section 23, as most recently amended by section 7 of chapter 550 of the acts of 1953, and inserting in place thereof the following two sections: — *Section 23.* Any license, permit or certificate of registration issued by any department, division, board, commission or officer of the commonwealth that expires while the holder thereof is actively serving in the armed forces of the United States may be renewed within six months after the termination by such holder of such service, to the same extent as though the application for such renewal were made upon the expiration of such license, permit or certificate of registration; provided, that nothing in this section shall be construed to authorize such holder of a license, permit or certificate of registration to exercise any rights thereunder after its expiration and prior to its renewal as aforesaid; and provided, further, that no fee shall be charged or collected for the period between such expiration and such renewal. This section shall not apply to licenses to operate motor vehicles issued under section eight of chapter ninety of the General Laws.

Section 23A. Any license to operate motor vehicles issued under section eight of chapter ninety of the General Laws which by its terms has expired or shall expire during the active service of the holder thereof in the armed forces of the United States, shall continue in force as a valid license until the expiration of sixty days after the termination of such service by honorable discharge or release or until July first, nineteen hundred and fifty-five, whichever first occurs, sub-

Validity of
licenses to
operate motor
vehicles ex-
tended for
holder serv-
ing in armed
forces.

ject to all other provisions of said chapter ninety relative to such license.

The holder of a license continued in force as aforesaid shall, while operating a motor vehicle, carry upon his person the license issued to him which was valid at the time of his entry into the armed forces, or his renewal license if it was renewed during such service, and shall also carry upon his person conclusive evidence that he is actively serving in said armed forces or that he has terminated such service within a period of sixty days.

If the license of such person is lost or mutilated, a duplicate thereof shall be furnished by the registrar of motor vehicles without application and upon presentation of the evidence aforesaid.

This section shall be inoperative with respect to any person who is hospitalized or who has been discharged or released from the armed forces of the United States because of a disability, unless the license of such person is certified as valid by said registrar. Exception.

SECTION 52. Chapter ninety-four of the General Acts of nineteen hundred and eighteen, as amended by chapter two hundred and thirty-two of the General Acts of nineteen hundred and nineteen, is hereby repealed.

SECTION 53. Chapters one hundred and seventy-two and three hundred and seventeen of the General Acts of nineteen hundred and nineteen are hereby repealed.

SECTION 54. Chapter one hundred and ninety-five of the acts of nineteen hundred and thirty is hereby repealed.

SECTION 55. Chapter eight of the resolves of nineteen hundred and thirty-eight and chapter fifteen of the resolves of nineteen hundred and forty-one are hereby repealed.

SECTION 56. Chapter seven hundred and one of the acts of nineteen hundred and forty-one is hereby repealed.

SECTION 57. Section five of chapter thirteen of the acts of nineteen hundred and forty-two, as amended by chapter six hundred and sixty-nine of the acts of nineteen hundred and forty-seven, is hereby repealed.

SECTION 58. Chapter four hundred and one of the acts of nineteen hundred and forty-three, chapter four hundred and twelve of the acts of nineteen hundred and forty-three, as amended by section two of chapter six hundred and twenty-seven of the acts of nineteen hundred and forty-five, and chapter four hundred and ninety-nine of the acts of nineteen hundred and forty-three are hereby repealed.

SECTION 59. Chapters one hundred and eighty-two, two hundred and fifty-eight, four hundred and forty-seven, five hundred and twenty-five and five hundred and eighty-nine of the acts of nineteen hundred and forty-five are hereby repealed.

SECTION 60. Chapter three hundred and eighty-eight of the acts of nineteen hundred and forty-three, as amended by chapter one hundred and seventy-eight of the acts of nineteen hundred and forty-six, and chapters four hundred

and thirty, four hundred and fifty-nine, four hundred and sixty-nine, five hundred and seventy-seven, and six hundred and four of the acts of nineteen hundred and forty-six, and chapter two hundred and seventy-two of the acts of nineteen hundred and forty-six, as amended by chapter five hundred and eleven of the acts of nineteen hundred and forty-seven, and chapter five hundred and ninety-six of the acts of nineteen hundred and forty-six, as amended by chapter five hundred and ninety-four of the acts of nineteen hundred and forty-seven, are hereby repealed.

SECTION 61. Chapters three hundred and sixty-eight and three hundred and ninety-five of the acts of nineteen hundred and forty-eight are hereby repealed.

SECTION 62. Chapter eight hundred and three of the acts of nineteen hundred and fifty, as amended by chapter three hundred and thirty-eight of the acts of nineteen hundred and fifty-one, is hereby repealed.

SECTION 63. Chapters three hundred and eighty-eight and four hundred and ninety-two of the acts of nineteen hundred and fifty-one are hereby repealed.

SECTION 64. Chapter one hundred and sixty-nine of the acts of nineteen hundred and twenty-one is hereby repealed.

Qualifying
oaths for
persons elected
to public office
while in
service during
Korean
emergency.

SECTION 65. If a person elected to public office is unable to take and subscribe the oaths required to qualify him for such office before an officer authorized otherwise than by this act to administer such oaths, by reason of service in the armed forces of the United States during the Korean emergency, such person may, except where otherwise required by the constitution, take and subscribe such oaths before a commissioned officer not below the rank of colonel in the army, marine corps or air force, or the rank of captain in the navy or coast guard. Every person who takes and subscribes the oaths before such a commissioned officer shall forthwith transmit to the state secretary a certificate thereof signed by the commissioned officer who administered the same.

SECTION 66. Chapter three hundred and sixteen of the acts of nineteen hundred and forty-seven is hereby repealed.

SECTION 67. No inference shall be drawn from the repeal of the acts and resolves contained in sections fifty-three to sixty-seven, inclusive, of this act that such acts and resolves were in force until so repealed.

Approved June 10, 1954.

Chap. 628 AN ACT PROVIDING THAT CERTAIN REAL ESTATE IN THE CITY OF BOSTON MAY BE USED FOR PURPOSES OF A CONSULATE.

Be it enacted, etc., as follows:

SECTION 1. The provisions of section twenty-three of chapter one hundred and eighty-four of the General Laws, or any corresponding provision of earlier laws, relating to conditions or restrictions by which the title or use of real

property is affected, shall not apply to the land and building located at 107 Beacon street, in the city of Boston, and said land and building may be used for the usual purposes of a consulate.

SECTION 2. This act shall take effect upon its passage.

Approved June 10, 1954.

AN ACT RELATIVE TO THE EXCLUSION OF INSURANCE PAYMENTS FROM GROSS INCOME IN DETERMINING THE RENT TO BE CHARGED, ELIGIBILITY FOR ADMISSION TO AND CONTINUED OCCUPANCY IN HOUSING PROJECTS.

Chap. 629

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to remove forthwith certain inequities which exist in the manner in which net income is determined in regulating admission and continued occupancy and in calculating rents in certain housing projects, therefore, this act is declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

The last paragraph of section 26FF of chapter 121 of the General Laws, as amended by chapter 313 of the acts of 1951, is hereby further amended by adding at the end the following sentence:— In determining the net income of the tenant family for the purpose of computing the rent and determining eligibility for admission and continued occupancy, proceeds paid to such tenant family from policies of insurance shall be excluded from income.

G. L. (Ter.
Ed.), 121,
§ 26FF, etc.,
amended.

Determination
of net income
in certain
housing
projects,
regulated.

Approved June 10, 1954.

AN ACT FURTHER REGULATING THE BUSINESS OF THEATRICAL BOOKING AGENTS, PERSONAL AGENTS AND MANAGERS.

Chap. 630

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for a closer supervision and regulation of the business of booking entertainers, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 180A, as amended by chapter 256 of the acts of 1948, and inserting in place thereof the following section:— *Section 180A.* Every booking agent, personal agent, or actor's manager shall obtain a license from the department of public safety, hereinafter and in sections one hundred and eighty B to one hundred and eighty D, inclusive, called the licensing authority, to engage in the commonwealth in the business of booking actors, actresses,

G. L. (Ter.
Ed.), 140,
§ 180A, etc.,
amended.

Business of
booking enter-
tainers, etc.,
regulated.

chorus girls or chorus boys, musicians, entertainers of all descriptions, or any of them, for vaudeville, banquets and other stage performances, stage productions in theatres, including floor shows, so called, in restaurants, clubs, beer gardens, tents, arenas, halls and similar places of amusement. The term of said license shall be for a period of two years, and the fee therefor shall be two hundred dollars. No application for a new license under this section shall be granted except after publication of a notice thereof at the expense of the applicant in a newspaper having circulation in the town or city in which the applicant's office is located, ten days prior to granting thereof, and after a hearing before the licensing authority.

Every person licensed under this section shall maintain one or more offices in the commonwealth, and, while actively engaged in any or all of the activities of business hereinbefore referred to shall be required to be so licensed. Every person applying for a license under this section shall be of good moral character and be domiciled in the commonwealth.

A license may be revoked or refused at any time by the commissioner for good cause shown; provided, that due notice to any applicant or licensee shall have been given to appear before the commissioner to show cause why the license should not be revoked or refused.

Approved June 10, 1954.

Chap. 631 AN ACT AUTHORIZING THE ACQUISITION BY THE COMMONWEALTH OF CERTAIN LAND IN THE TOWN OF EDGARTOWN FOR PUBLIC BEACH PURPOSES.

Be it enacted, etc., as follows:

Acquisition of
land for
public beaches,
authorized.

SECTION 1. After an appropriation therefor has been made, the commissioner of natural resources on behalf of the commonwealth may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, at a total cost to the commonwealth of not more than thirty-two thousand dollars, certain land situated in the town of Edgartown, bounded and described as follows:—Northwesterly by land of the commonwealth, acquired by order of taking dated June 16, 1948, recorded with Dukes County Registry of Deeds in book 214, page 530, on June 28, 1948; northeasterly by Nantucket Sound; southeasterly by the Edgartown Beach and the outlet of Trapps pond; and southwesterly by Sengekontacket pond. Containing approximately fifty-two acres, excluding therefrom the state highway running through the described premises.

SECTION 2. All acquisition of property hereunder bounding on Nantucket Sound and Sengekontacket pond shall be to extreme low water line.

SECTION 3. The county commissioners of the county of Dukes are hereby authorized and directed to manage and maintain the property acquired hereunder, and the cost of

said management and maintenance shall be borne by said county.

SECTION 4. No rule or regulation made by said county commissioners shall prohibit farmers from taking therefrom kelp, commonly known as seaweed, or from operating vehicles thereon for the purpose of removing the seaweed.

Approved June 10, 1954.

AN ACT RELATIVE TO THE HOURS OF LABOR OF CERTAIN STATE AND COUNTY OFFICERS AND EMPLOYEES. Chap. 632

Be it enacted, etc., as follows:

SECTION 1. Chapter 149 of the General Laws is hereby amended by striking out section 39, as amended by section 1 of chapter 444 of the acts of 1935, and inserting in place thereof the following section:— *Section 39.* The maximum hours of labor of laborers, workmen and mechanics, of ward attendants, ward nurses, industrial and occupational therapists and watchmen, and of employees in kitchen, dining-room and domestic services, in state and county institutions, and of officers and instructors of state penal institutions and county penal and reformatory institutions, shall not exceed forty in each week. The foregoing provision shall not be construed as authorizing the employment of any such officer or employee whose work day and week is fixed under section thirty A or any other provision of law at less than said forty hours maximum to be employed beyond the hours so fixed and within said maximum without the payment of overtime. This section shall not prevent the superintendent, warden or executive officer from requiring the services of any person in any emergency where the health or safety of patients or inmates would otherwise be endangered, or in any extraordinary emergency, or in apprehending an escaped inmate.

G. L. (Ter. Ed.), 149, § 39, etc., amended.

Hours of labor of certain state and county employees, regulated

SECTION 2. Said chapter 149 is hereby further amended by striking out section 40.

Approved June 10, 1954.

G. L. (Ter. Ed.), 149, § 40, stricken out.

AN ACT PROVIDING FOR ADEQUATE COMPENSATION FOR RESERVE AND CALL POLICEMEN AND FIRE FIGHTERS INJURED IN LINE OF DUTY. Chap. 633

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by striking out section 85H, inserted by section 2 of chapter 431 of the acts of 1952, and inserting in place thereof the following section:— *Section 85H.* The selectmen of every town may retire from active service any call fire fighter or reserve, special or intermittent police officer who becomes permanently disabled mentally or physically by injuries sustained through no fault of his own in the actual performance of duty as such fire fighter or policeman. A person so retired shall receive an annual pension equal to two thirds of the annual rate of compensation payable to a regular or

G. L. (Ter. Ed.), 32, § 85H, etc., amended.

Retirement for disability of reserve and call policemen and fire fighters, authorized.

permanent member of the police or fire force, as the case may be, thereof for the first year of service therein, and if there are no permanent members of such force an annual pension in the sum of fifteen hundred dollars. Whenever a call fire fighter or reserve or special or intermittent police officer of a town, or a reserve police officer or reserve or call fire fighter of a city is disabled because of injury or incapacity sustained in the performance of his duty without fault of his own, and is thereby unable to perform the usual duties of his regular occupation at the time such injury or incapacity was incurred, he shall receive from the city or town for the period of such injury or incapacity the amount of compensation payable to a permanent member of the police or fire force thereof, as the case may be, for the first year of service therein, or if there are no regular or permanent members of the police or fire force thereof, at the rate of fifteen hundred dollars per annum; provided, that no such compensation shall be payable for any period after such police officer or fire fighter has been retired or pensioned in accordance with law or for any period after a physician designated by the board or officer authorized to appoint police officers or fire fighters in such city or town determines that such incapacity no longer exists. All amounts payable under this section shall be paid at the same time and in the same manner as, and for all purposes shall be deemed to be, the regular compensation of such police officer or fire fighter.

Approved June 10, 1954.

Chap.634 AN ACT PLACING THE OFFICE OF LEGAL ASSISTANT, DIVISION OF REGISTRY OF MOTOR VEHICLES UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

The office of legal assistant, division of registry of motor vehicles, shall, upon the effective date of this act, become subject to the civil service laws and rules. The tenure of office of Roland H. Parker, who has performed the duties of said office for over five years, shall be unlimited, subject, however, to the civil service laws and rules; provided, that he passes a qualifying examination which shall be given by the division of civil service.

Approved June 10, 1954.

Chap.635 AN ACT TO INCREASE THE AMOUNT OF DEPENDENCY ALLOWANCE UNDER THE EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 151A, § 29, etc., amended.

Section 29 of chapter 151A of the General Laws is hereby amended by striking out subsection (c), as most recently amended by section 12 of chapter 763 of the acts of 1951, and inserting in place thereof the following subsection: —

Dependency allowance under employ-

(c) An individual in total or partial unemployment and otherwise eligible for benefits shall be paid for each week of

such unemployment, in addition to the amount payable under paragraph (a) or (b), as the case may be, the sum of three dollars for each of his children under age eighteen who is dependent upon him at law and in fact in a benefit year; provided, that such dependent child is domiciled within the United States or the territories or possessions thereof, and that in no instance shall the regular unemployment benefits and the additional amount allotted for dependency and partial earnings under paragraph (b) be more than his average weekly wage. *Approved June 10, 1954.*

ment security
law, increased.

AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE SCHOOL COMMITTEE OF THE CITY OF WOBURN. *Chap. 636*

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section two of chapter one hundred and ninety-four of the acts of nineteen hundred and twenty-eight, any vacancy in the school committee of the city of Woburn due to death, resignation, or any other cause shall be filled forthwith by election by the remaining members of said committee, and any person so elected shall serve until the qualification of a successor, who shall be elected at the next regular municipal election for the balance of the unexpired term, if any.

SECTION 2. After the biennial municipal election in the year nineteen hundred and fifty-five, and for such time thereafter as the provisions of chapter one hundred and twenty-eight of the acts of nineteen hundred and fifty-three remain in effect, any vacancy in the school committee of the city of Woburn due to death, resignation, or any other cause shall be filled forthwith by election by the remaining members of said committee; but such vacancy shall be filled only by election of a qualified voter of the ward in which such vacancy occurs. The person so elected shall serve only until a successor is qualified at the next municipal election, at which next municipal election, the residents of the ward in which such vacancy has occurred shall vote to fill the vacancy for the remaining unexpired balance of the term, as provided by the provisions of chapter one hundred and twenty-eight of the acts of nineteen hundred and fifty-three.

SECTION 3. This act shall take effect upon its passage.

Approved June 10, 1954.

AN ACT AUTHORIZING THE CITY OF WOBURN TO PAY A SUM OF MONEY TO Z. WADSWORTH NARKUN. *Chap. 637*

Be it enacted, etc., as follows:

SECTION 1. The city of Woburn is hereby authorized to pay from an appropriation available therefor to Z. Wadsworth Narkun, fire adjuster, the sum of six thousand dollars for services rendered to the city of Woburn in the matter

of the adjustment of the fire loss at the Goodyear School in the year nineteen hundred and fifty-three.

SECTION 2. This act shall take effect upon its passage.

Approved June 10, 1954.

Chap.638 AN ACT PROVIDING FOR THE ACQUISITION BY THE COMMONWEALTH OF ALL RIGHTS IN CERTAIN TIDEWATERS IN THE CITY OF BOSTON AND FOR THE MAINTENANCE OF CERTAIN BRIDGES OVER THE SAME WITHOUT A DRAW.

Be it enacted, etc., as follows:

SECTION 1. The department of public works is hereby authorized to acquire in the name and behalf of the commonwealth, with such conditional limitations, if any, as said department shall deem proper, all rights in the tidewaters above the easterly side of the highway bridge over Fort Point channel at Dorchester avenue in the city of Boston, and to do in the name and behalf of the commonwealth any and all things necessary to have said tidewaters declared to be non-navigable waters within the meaning of the constitution and laws of the United States and, after said tidewaters have been so declared, to maintain said bridge without a draw. After said tidewaters have been so declared, the city of Boston and the New York, New Haven and Hartford Railroad Company may also maintain without a draw their bridges over said tidewaters.

SECTION 2. Notwithstanding any contrary provision of general or special law, the city of Boston, by its mayor, is hereby authorized and empowered to convey to the commonwealth, without consideration, all rights of said city in the aforesaid tidewaters; provided, that said conveyance is authorized, after two separate readings, by two separate votes of two thirds of all the members of the city council of said city, the second of said readings and votes to be had not less than fourteen days after the first.

SECTION 3. This act shall take effect upon its passage.

Approved June 10, 1954.

Chap.639 AN ACT RELATIVE TO THE SALARIES OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FITCHBURG.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section six A of chapter thirty-nine and section seventeen A of chapter forty-three of the General Laws, the mayor of the city of Fitchburg shall receive for his services such salary as the city council thereof by ordinance shall determine, not exceeding seventy-five hundred dollars.

SECTION 2. The city council of said city may, by a two-thirds vote of all its members taken by call of the yeas and nays, establish a salary for its members not exceeding seven hundred and fifty dollars each.

SECTION 3. This act shall be submitted for acceptance to the registered voters of the city of Fitchburg at the biennial state election in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election: — “Shall an act of the general court passed in the current year, entitled ‘An Act relative to the salaries of the mayor and city council of the city of Fitchburg’, be accepted?” If a majority of the voters voting thereon vote in the affirmative in answer to said question, this act shall thereupon take full effect, but not otherwise.

Approved June 10, 1954.

AN ACT RELATIVE TO THE ASSESSMENT, ABATEMENT AND COLLECTION OF THE EXCISE TAX ON MOTOR VEHICLES AND TRAILERS.

Chap. 640

Be it enacted, etc., as follows:

SECTION 1. Chapter 60A of the General Laws is hereby amended by striking out section 1, as most recently amended by chapter 548 of the acts of 1954, and inserting in place thereof the following section: — *Section 1.* Except as hereinafter provided, there shall be assessed and levied in each calendar year on every motor vehicle and trailer registered under chapter ninety, for the privilege of such registration, an excise measured by the value thereof, as hereinafter defined and determined, at the average state rate for the calendar year, as determined in the manner provided in section fifty-eight of chapter sixty-three. For the purpose of this excise the value of each such motor vehicle or trailer shall be deemed to be the value, as determined by the commissioner, of motor vehicles or trailers of the same make, type, model, and year of manufacture as designated by the manufacturer, but not in excess of the following percentages of the list price established by the manufacturer for the year of manufacture, namely: —

G. L. (Ter. Ed.), 60A, § 1, etc., amended.

Excise tax on motor vehicles and trailers.

In the year preceding the designated year of manufacture	50%
In the year of manufacture	90%
In the second year	60%
In the third year	40%
In the fourth year	25%
In the fifth and succeeding years	10%

The term “year of manufacture”, as used in this section, shall mean the year used by the manufacturer of the motor vehicle or trailer in connection with the designation by him or it of the model of such motor vehicle or trailer.

“Year of manufacture”, defined.

Nothing in this section shall be construed to prevent the board of assessors or the state tax commission, as the case may be, from granting an abatement in any case in which the valuation aforesaid is in their or its opinion excessive.

The excise imposed by this section shall not apply to motor vehicles or trailers owned and registered by the commonwealth or any political subdivision thereof, or to motor ve-

Excise not applicable to certain motor

vehicles or
trailers.

hicles or trailers owned and registered by a corporation whose personal property is exempt from taxation under clause Third of section five of chapter fifty-nine. Motor vehicles or trailers owned or controlled by a manufacturer, farmer or repairman to whom has been issued a general distinguishing number or mark under section five of chapter ninety, and motor vehicles or trailers owned or controlled by a dealer to whom there has been issued a general distinguishing number or mark, shall be exempt from the excise imposed by this section, upon application in writing filed with the assessors, if and so long as such motor vehicle or trailer is operated or propelled over the highways solely in connection with the business of the owner or controller as such manufacturer, farmer, repairman or dealer and in no way for his personal use or convenience or the personal use and convenience of his family or any other person; provided, that such application shall contain a statement subscribed under penalties of perjury by such owner or controller to the effect that such motor vehicle or trailer is and will be operated or propelled only in the manner aforesaid; and provided further that if any such motor vehicle or trailer is operated or propelled otherwise than in the manner aforesaid, there shall be assessed and levied on such motor vehicle or trailer the excise imposed by this chapter, which excise shall be assessed by the assessors and collected by the collectors of taxes, nor shall such excise be abated by reason of any subsequent transfer of such motor vehicle or trailer. If no application for exemption is filed with the assessors as aforesaid, any motor vehicle or trailer owned or controlled by a manufacturer, repairman or dealer and operated or propelled under a general distinguishing number or mark issued to such manufacturer, repairman or dealer shall be subject to the excise imposed by this chapter, which excise shall be assessed by the assessors and collected by the collectors of taxes.

Certain
disabled
veterans
exempt from
payment.

The excise imposed by this section shall not apply to a motor vehicle owned, operated and registered by a veteran of World War I, World War II, or of service during the Korean emergency between June twenty-fifth, nineteen hundred and fifty and the termination of said emergency as declared by proper federal authority, who according to the records of the United States Veterans Administration by reason of service in the armed forces of the United States has suffered loss, or permanent loss of use of, one or both feet, or loss or permanent loss of use of, one or both hands. This exemption shall apply only to motor vehicles owned and operated for the personal, non-commercial use of said veterans.

Excise to be
prorated,
when.

If a motor vehicle or trailer is registered after January thirty-first of any year, the excise imposed by this section shall be that proportion of the excise for a full year which the number of months in said year following the last day of the month preceding that in which the motor vehicle or trailer is registered bears to twelve. If a registered motor

vehicle or trailer is sold or its ownership transferred during any calendar year, and if notice to the former owner of an excise on account thereof for that year has already been issued pursuant to section two, or if the owner of a motor vehicle or trailer transfers to another state and registers such motor vehicle or trailer in such other state and surrenders registration of such motor vehicle or trailer in this state during any calendar year, and if notice to such owner of an excise on account thereof for that year has already been issued pursuant to section two, that proportion of the excise for a full year which the number of months in said year remaining after the last day of the month in which such sale or transfer occurred bears to twelve shall be abated. If, however, the excise payer has not been notified of said excise before notice of such sale or transfer has been received by the official or officials authorized to make the assessment, only that proportion of the excise for a full year which the number of months in said year prior to the first day of the month next following the month in which said sale or transfer or surrender of registration in this state occurred bears to twelve shall be assessed. The excise assessed under this section shall not be less than two dollars, and no abatement under this section shall reduce the excise collected to less than two dollars.

The excise imposed by this section shall not apply to the registration by an inhabitant of any state other than this commonwealth or by a partnership, voluntary association or corporation which does not have a principal place of business in this commonwealth, of any motor vehicle or trailer to be customarily kept in another state if such other state does not impose an excise, privilege or property tax or fee in lieu of or in addition to a registration fee, or does not impose a registration fee at a rate greater than that required for registration in this commonwealth, upon motor vehicles or trailers, as the case may be, customarily kept in this commonwealth and registered by an inhabitant of this commonwealth, or by a partnership, voluntary association or corporation having its principal place of business in this commonwealth. The commissioner shall determine what states do not impose such additional excise, privilege or property tax or fee, or registration fee or fee in lieu of such levies and his determination shall be final.

Notwithstanding any provision of law to the contrary, common carriers, including towing trucks operated for hire on dealers' registration plates, shall be subject to the excise imposed by this section.

SECTION 2. Said chapter 60A is hereby further amended by striking out section 2, as most recently amended by section 1 of chapter 373 of the acts of 1954, and inserting in place thereof the following section: — *Section 2.* Except as otherwise provided in section one, if the owner of the motor vehicle or trailer registered is an individual inhabitant of the commonwealth, or a partnership, voluntary association

Excise not applicable to non-inhabitants, when.

Common carriers, etc., subject to excise.

G. L. (Ter. Ed.), 60A, § 2, etc., amended.

Duty of assessors to impose excise.

or corporation having a principal place of business in the commonwealth or if the owner of the motor vehicle or trailer registered is not such an individual, partnership, voluntary association or corporation but the vehicle or trailer is customarily kept in any particular municipality in the commonwealth, the board of assessors shall assess the excise imposed by section one, and commit the same to the collector of taxes with their warrant for the collection thereof. Otherwise the excise so imposed shall be assessed and collected by the commissioner. The excise shall be assessed to the owner of the motor vehicle or trailer registering the same, and the registrar of motor vehicles shall promptly transmit to the commissioner a notice of the registration of a motor vehicle or trailer subject to this excise, giving the name and residential address of the owner, if an individual, or the name and principal place of business in this commonwealth, if any, otherwise that outside the commonwealth, if a corporation, partnership or voluntary association, the municipality in which the motor vehicle or trailer is customarily to be kept if it is to be kept in the commonwealth, the name of the maker, the year of manufacture as designated by the manufacturer, and the model and type of vehicle or trailer. The commissioner may require from the owner such further information as may be necessary for the purposes of this chapter. If an application for the registration of a motor vehicle or trailer contains a statement that the motor vehicle or trailer is customarily to be kept in any particular district, section or part of a city or town, the commissioner shall determine in what city or town said district, section or part is located, and shall transmit the information to the assessors. The commissioner shall, as soon as may be, transmit to the boards of assessors the information received relative to registrations with respect to motor vehicles and trailers locally assessable sent to him by the registrar of motor vehicles, and, under such provisions as he deems best, make available to the local assessors information showing the values as determined under section one. The excise hereunder shall be due and payable at the expiration of thirty days from the date upon which the notice was issued by the collector or the commissioner pursuant to this section. The collector of taxes or the commissioner, as the case may be, shall seasonably notify the owner of the excise assessed and the due date, but failure to receive notice shall not affect the validity of the excise. The owner may if the notice of assessment is issued before January first of the succeeding year within six months of the date of issuing the notice of assessment or of the date of sale or transfer, but not later than January thirty-first of the succeeding year, and if the notice of assessment is issued on or after January first of the succeeding year, within thirty days after the date of issuing the notice of assessment, apply for an abatement to the board of assessors or the state tax commission, as the case may be, and, from a decision of the board of assessors upon such applica-

Application for
abatement,
when per-
mitted, etc.

tion, an appeal may be taken to the county commissioners or to the appellate tax board, all in accordance with section sixty-four or sixty-five of chapter fifty-nine, or from a decision of the commission an appeal may be taken to the appellate tax board in the time and manner provided in the case of appeals taken pursuant to section seventy-one of chapter sixty-three. If an abatement is granted of an excise assessed by a board of assessors, any overpayment with interest thereon at the rate of four per cent per annum from the date of payment shall be refunded by the city or town treasurer from any available funds, upon certification by the collector of taxes and approval for payment as required by section fifty-two of chapter forty-one, without any appropriation therefor by the municipality. If abatement is granted of an excise assessed by the commissioner, any overpayment with interest thereon at the rate of six per cent per annum from the date of payment shall be refunded by the state treasurer upon certification by the state tax commission, without further appropriation. Owners who neglect to pay the excise assessed under this chapter shall pay interest at the rate of six per cent per annum from the time when such excise was payable until paid, if such payment is made before the commencement of proceedings for recovery thereof, and twelve per cent if made after the commencement thereof. The notice issued pursuant to this section shall bear on its face a statement of the time within which petitions for abatement of the excise may be filed.

Approved June 10, 1954.

AN ACT MODIFYING AND CLARIFYING THE RULE AGAINST PERPETUITIES. Chap.641

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 184 the following chapter: —

G. L. (Ter. Ed.), new chapter 184A, added.

CHAPTER 184A.

THE RULE AGAINST PERPETUITIES.

Section 1. In applying the rule against perpetuities to an interest in real or personal property limited to take effect at or after the termination of one or more life estates in, or lives of, persons in being when the period of said rule commences to run, the validity of the interest shall be determined on the basis of facts existing at the termination of such one or more life estates or lives. In this section an interest which must terminate not later than the death of one or more persons is a "life estate" even though it may terminate at an earlier time.

The rule against perpetuities, modified.

Section 2. If an interest in real or personal property would violate the rule against perpetuities as modified by section one because such interest is contingent upon any person attaining or failing to attain an age in excess of

Same subject.

twenty-one, the age contingency shall be reduced to twenty-one as to all persons subject to the same age contingency.

Certain fees in land to become absolute.

Section 3. A fee simple determinable in land or a fee simple in land subject to a right of entry for condition broken shall become a fee simple absolute if the specified contingency does not occur within thirty years from the date when such fee simple determinable or such fee simple subject to a right of entry becomes possessory. If such contingency occurs within said thirty years the succeeding interest, which may be an interest in a person other than the person creating the interest or his heirs, shall become possessory or the right of entry exercisable notwithstanding the rule against perpetuities. But if a fee simple determinable in land or a fee simple in land subject to a right of entry for condition broken is so limited that the specified contingency must occur, if at all, within the period of the rule against perpetuities, said interests shall take effect as limited. This section shall not apply where both such fee simple determinable and such succeeding interest, or both such fee simple and such right of entry are for public, charitable or religious purposes; nor shall it apply to a deed, gift or grant of the commonwealth or any political subdivision thereof.

Exception for public, charitable or religious purposes.

Applicable to equitable interests.

Proviso.

Section 4. This chapter shall apply to both legal and equitable interests.

Section 5. Except as provided in the first sentence of section three, this chapter shall not be construed to invalidate or modify the terms of any limitation which would have been valid prior to January first, nineteen hundred and fifty-five.

Severability provision.

Section 6. If any of the provisions of this chapter shall be held invalid or unconstitutional in relation to any of the applications thereof, such invalidity or unconstitutionality shall not affect other applications thereof or other provisions thereof; and to this end the provisions of this chapter are declared to be severable.

Effective date.

Application thereof.

SECTION 2. This act shall take effect on January first, nineteen hundred and fifty-five, and shall apply only to inter vivos instruments taking effect after that date, to wills where the testator dies after January first, nineteen hundred and fifty-five, and to appointments made after the effective date of this act, including appointments by inter vivos instruments or wills under powers created before said effective date.

Approved June 10, 1954.

Chap. 642 AN ACT REQUIRING RETIREMENT BOARDS TO FURNISH ANNUAL STATEMENTS TO MEMBERS OF RETIREMENT SYSTEMS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 32, § 20, etc., amended.

Annual statements

SECTION 1. Paragraph (i) of subdivision (5) of section 20 of chapter 32 of the General Laws, as appearing in section 1 of chapter 658 of the acts of 1945, is hereby amended by adding at the end the two following sentences:— Each board shall annually, on or before July first, furnish to each

member of the system an annual statement for the previous calendar year relative to the status of the member's account. Such statement shall show the total contribution since the member entered the retirement system, the total amount of interest which has accrued, and the combined total in the account as of the end of the previous calendar year.

to members
of retirement
systems,
required.

SECTION 2. The first annual statement required by paragraph (i) of subdivision (5) of section twenty of chapter thirty-two of the General Laws, as amended by section one of this act, shall, in the case of the state retirement board, be for the calendar year nineteen hundred and fifty-four, and in the case of retirement boards of all other retirement systems established under sections one to twenty-eight, inclusive, of said chapter thirty-two or under corresponding provisions of earlier law, shall be for the calendar year nineteen hundred and fifty-five.

Same
subject.

Approved June 10, 1954.

AN ACT TO FACILITATE THE DESIGNATION OF CONSERVATION, REHABILITATION, AND RECONSTRUCTION AREAS, AND THE PLANNING AND EXECUTION OF HOUSING AND ENVIRONMENTAL IMPROVEMENT PROGRAMS THEREIN.

Chap. 643

Be it enacted, etc., as follows:

SECTION 1. Section 81D of chapter 41 of the General Laws is hereby amended by inserting after the second sentence, as appearing in section 4 of chapter 340 of the acts of 1947, the following sentence: — Such planning board, after consultation with the municipal agencies charged with enforcing housing laws, ordinances, by-laws or regulations, and with the local housing or redevelopment authority, if any, shall designate in such plan, conservation, rehabilitation and redevelopment areas for the purpose of guiding residential protection, neighborhood improvement, and urban renewal programs, — so as to read as follows: — *Section 81D.* A planning board established in any city or town under section eighty-one A shall make a master or study plan of such city or town or such part or parts thereof as said board may deem advisable and from time to time may extend or perfect such plan. Such plan shall show, among other things, existing and desirable proposed public ways, street grades, public places, bridges and tunnels, viaducts, parks, parkways, playgrounds, sites for public buildings and structures, building and zoning districts, pierhead and bulkhead lines, waterways, routes of railroads, buses and ferries, and locations of sewers, water conduits and other public utilities, and other pertinent features of such a plan, including existing private ways. Such planning board, after consultation with the municipal agencies charged with enforcing housing laws, ordinances, by-laws or regulations, and with the local housing or redevelopment authority, if any, shall designate in such plan, conservation, rehabilitation and redevelopment areas for the purpose of guiding residential protection, neighborhood improvement, and urban renewal

G. L. (Ter.
Ed.), 41,
§ 81D, etc.,
amended.

Planning
boards to
designate
certain re-
development
areas, etc. in
master plan.

programs. Such plan shall be made, and may be added to or changed from time to time, by a majority vote of such planning board and shall be a public record.

G. L. (Ter. Ed.), 121, § 26, etc., amended.

SECTION 2. Section 26 of chapter 121 of the General Laws, as most recently amended by section 6 of chapter 340 of the acts of 1947, is hereby further amended by adding at the end the following two paragraphs:—

Development of urban renewal programs.

Whenever a city by vote of the city council, or a town by vote of a town meeting, determines that an urban renewal program ought to be undertaken in one or more areas designated for rehabilitation or conservation by the local planning board, it may designate either the municipality, or any of its departments, and/or the housing or redevelopment authority, as the local public agency or agencies to receive, upon approval of the chairman of the housing board, loans and grants from the federal government for the purpose of making surveys to establish a specific plan for an urban renewal project. Whenever a city by vote of the city council or a town by vote of a town meeting approves such a specific urban renewal plan and determines to proceed with such a project, the local public agency or agencies shall obtain approval of such project from the chairman of the housing board before receiving any loans or grants from the federal government for carrying out such project.

"Urban renewal", defined.

For purposes of this section, the words "urban renewal" shall mean conservation or rehabilitation of a residential neighborhood by voluntary and municipal action to reduce or prevent blight or deterioration. An urban renewal project may include undertakings or activities of a local public agency in one or more areas for the prevention or reduction of blight or deterioration, in accordance with an urban renewal plan approved by the city council or town meeting. Such an urban renewal project may include carrying out a program of voluntary repair and rehabilitation of buildings and improvements, and of enforcement of laws, ordinances, by-laws and regulations relating to the maintenance, use, occupancy and demolition of existing housing, and of installation, construction or reconstruction of streets, utilities, parks, playgrounds and other municipal improvements necessary for neighborhood conservation or rehabilitation in areas designated therefor in accordance with section eighty-one D of chapter forty-one. Such a project may also include acquisition for public use of real property, and demolition or removal of buildings and improvements thereon where necessary for installation, construction or reconstruction of streets, utilities, parks, playgrounds and other municipal improvements necessary to conserve a neighborhood.

G. L. (Ter. Ed.), 23A, § 6, etc., amended.

SECTION 3. Section 6 of chapter 23A of the General Laws, as appearing in section 1 of chapter 409 of the acts of 1953, is hereby amended by adding at the end the following clause:—

Acceptance of certain funds authorized.

(i) Accept from the federal government such grants and from municipalities such funds as may be necessary for the

purpose of carrying out any of the provisions of clauses (b), (e) and (f).
Approved June 10, 1954.

AN ACT REGULATING POLITICAL ACTIVITIES OF PUBLIC EMPLOYEES.

Chap. 644

Be it enacted, etc., as follows:

Section 11 of chapter 55 of the General Laws, as appearing in section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — No person employed for compensation, other than an elected officer, by the commonwealth or any county, city or town shall directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever; but this section shall not prevent such persons from being members of political organizations or committees.

G. L. (Ter. Ed.), 55, § 11, etc., amended.

Political activities of public employees, regulated.

Approved June 10, 1954.

AN ACT REGULATING THE AWARD OF CONTRACTS FOR PUBLIC BUILDING PROJECTS BY COMPETITIVE BIDDING.

Chap. 645

Be it enacted, etc., as follows:

SECTION 1. Chapter 149 of the General Laws is hereby amended by striking out section 44A, as amended by section 1 of chapter 699 of the acts of 1941, and inserting in place thereof the following section: — *Section 44A.* Every contract for the construction, reconstruction, alteration, remodeling or repair of any public building by the commonwealth, or by any county, city, town, district, board, commission or other public body and estimated to cost more than five thousand dollars in the case of the commonwealth, and more than one thousand dollars in the case of any county, city, town, district, board, commission or other public body, shall be awarded on the basis of competitive bids to the lowest responsible and eligible bidder for the complete work. The term "lowest responsible and eligible bidder", as used herein and in sections forty-four B to forty-four D, inclusive, shall mean the bidder whose bid is the lowest of those bidders possessing the skill, ability and integrity necessary to the faithful performance of the work, except in the event of substitution as hereinafter required, and who shall certify that he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work. Essential information in regard to such qualifications shall be submitted in such form as the awarding authority may require. The awarding authority shall reserve the right to reject any or all bids, if it be in the public interest so to do.

G. L. (Ter. Ed.), 149, § 44A, etc., amended.

Award of contracts for public building projects, regulated.

"Lowest responsible and eligible bidder", defined.

G. L. (Ter. Ed.), 149, § 44B, etc., amended.

Bid deposits, required.

Amount of bid deposit.

Return of bid deposits of certain general contractors, regulated.

SECTION 2. Said chapter 149 is hereby further amended by striking out section 44B, inserted by chapter 480 of the acts of 1939, and inserting in place thereof the following section: — *Section 44B.* Every bid submitted by general contractors and subcontractors designated in item two as hereinafter provided for any work referred to in section forty-four A shall be accompanied by cash or a certified check on, or a treasurer's or cashier's check issued by, a responsible bank or trust company, payable to the commonwealth, county, city, town, district, board, commission or other public body in the name of which the contract for the work is to be done. The amount of such cash or check shall be not less than five per cent of the value of the proposed work, as estimated by the awarding authority, but in no event less than one hundred dollars nor more than fifty thousand dollars.

All such bid deposits of general contractors on any such proposed work, except those of the three lowest responsible and eligible bidders, shall be returned within five days, Sundays and holidays excluded, after the opening of proposals therefor. The award of any contract referred to in section forty-four A shall be made within thirty days after the opening of bids therefor, or, if federal government approval is required, within thirty days after such approval. All bid deposits on any such proposed work shall be returned upon the execution and delivery of the contract therefor, or, if no award is made, then at the expiration of thirty days after the opening of the bids therefor, or, if federal government approval is required, within thirty days after such approval. If the bidder selected as the contractor on any such proposed work fails to execute the contract therefor within five days, Sundays and holidays excluded, after presentation by the awarding authority, an award shall be made to the next lowest responsible and eligible bidder thereon. Should any bidder on any such proposed work to whom an award is made fail to execute a contract therefor within five days, Sundays and holidays excluded, after presentation thereof, the amount so received as bid deposit from such bidder through his cash, certified check, treasurer's or cashier's check shall become and be the property of the said commonwealth, county, city, town, district, board, commission or other public body as liquidated damages; provided, that, in case of death, disability or other unforeseen circumstances affecting the bidder, such bid deposit may be returned to him.

All bid deposits of subcontractors designated in item two, except those of the three lowest responsible and eligible bidders, shall be returned within five days, Sundays and holidays excluded, after the opening of proposals therefor. The bid deposits of the three lowest responsible and eligible bidders shall be returned within five days, Sundays and holidays excluded, after execution of the contract with the general contractor.

If a bidder on any item of work designated in item two fails to execute a contract with the selected general contractor, contingent upon the final execution of the general contract, within five days, Sundays and holidays excluded, after presentation thereof by the general contractor the amount so received as bid deposit from the bidder through his cash, certified check, treasurer's or cashier's check shall become and be the property of the said commonwealth, county, city, town, district, board, commission or other public body as liquidated damages; provided, that, in case of death, disability or other unforeseen circumstances affecting the bidder, such deposit may be returned to him.

SECTION 3. Said chapter 149 is hereby further amended by striking out section 44C, as amended by chapter 699 of the acts of 1941, and inserting in place thereof the following section: — *Section 44C.* (A) With respect to each bid subject to section forty-four B, the following procedure shall be followed and all bidders shall be notified to that effect: —

G. L. (Ter. Ed.), 149, § 44C, etc., amended.

Procedure for competitive bidding on public building projects.

1. Bids from general contractors shall be for the complete work as specified and shall include the names of subcontractors and the amounts of their bids as designated in item two of the bid form and the general contractor shall be selected on the basis of such bid.

Bids from general contractors must be submitted on the bid form for general contractors as set forth in (G) of this section.

Bid forms shall be completely filled in. Bids which are incomplete, conditional or obscure, or which contain additions not called for, shall be rejected.

2. Each bid shall be divided into two items: —

Item 1, covering all the work of the general contractor, being all work not covered in item two.

Item 2, covering the work and the bid prices therefor of the subcontractors for such of the following as in the estimate of the awarding authority shall exceed one thousand dollars: (a) roofing and flashing; (b) metal windows; (c) waterproofing, dampproofing and caulking; (d) miscellaneous and ornamental iron; (e) lathing and plastering; (f) acoustical tile; (g) marble, tile and terrazzo; (h) resilient floors; (i) glass and glazing; (j) painting; (k) plumbing; (l) heating, ventilating and air conditioning; (m) electrical work; (n) elevators; and (o) the work of any other principal or minor subcontractors for which the awarding authority deems it necessary to receive filed sub-bids; and each of these classes of work shall be designated in item two of the bid form for general contractors as classes of work for which bid prices from subcontractors must be given.

(B) All principal and such minor subcontractors as are designated in the proposal form shall deliver or mail to the awarding authority record copies of all bids sent by them to the general contractor. All such bids shall be for the complete subdivision of the work as specified and must be submitted on the bid form for subcontractors as set forth in (H) of this section, which form shall be completely filled in.

Bids which are incomplete, conditional or obscure, or which contain additions not called for, shall be rejected.

Copies of sub-bids filed with the awarding authority shall be submitted in sealed envelopes with the following plainly marked on the outside: —

Title of work.

Division of work for which bid is submitted.

Subcontractor's name.

Subcontractor's business address.

All such bids shall be in the possession of the awarding authority and delivered or mailed to the general contractor, by twelve o'clock noon at least two days, Sundays and legal holidays excepted, before the date for receipt of general contract proposals. The date and time limit for receipt of such bids shall be stated in each section of the specifications. No filed sub-bids shall be opened by the awarding authorities until after the selection of the general contractor.

No sub-bid shall be considered in the final selection of sub-bidders, as hereinafter described, except those filed with the awarding authority as above provided.

Each sub-bidder may endorse the copy of his bid filed with the awarding authority as follows: — "The above bid is being sent to the following general bidders: —.....

.....
.....
.....

The bid may not be used by any other general contractor without the consent of the undersigned," and sign such copy.

(C) The names of all sub-bidders who filed their bids with the awarding authority as above provided, listed according to classes of work, shall be mailed on the final day for filing of such bids to the general contractors bidding on the work, and no sub-bidder not included on such list shall be used by the general contractor in his bid.

If no bids for a class of work listed in item two of the bid form are filed with the awarding authority, the awarding authority shall state, in an addendum to be issued with the listing of recorded sub-bids issued to bidders, an amount or amounts to be included by the bidder under item two of the bid form for the class or classes of work for which no bids have been received. The general contractor shall cause the work so covered to be done by such subcontractors and for such sums as may be agreed upon with the awarding authority, the contract price being adjusted by the difference between such sums and the amounts stated in the addendum. The bidder shall include under item one all expenses and profits on account of such allowances. The general contractor shall not be required to employ for any such work subcontractors against whose standing and ability the general contractor makes objection.

(D) If after the selection of the general contractor, it be decided to consider subcontractors other than the ones named by the general contractor in his bid, the awarding authority

and the selected general contractor shall jointly consider the names of all sub-bidders and their amounts, as filed. Any agreement to substitute the name of a subcontractor other than the one named in the general contractor's bid shall cause an adjustment of contract price at the net difference in accordance with the sub-bidders of record filed with the awarding authority. If by such substitutions the total adjusted bid of the general contractor first selected becomes greater than the original total bid of the next to lowest eligible and responsible bidder, then the latter shall be selected and his sub-bidders similarly considered. If by substitutions as hereinbefore provided the total adjusted bid of the second selected general contractor becomes greater than the adjusted bid of the general contractor first selected or greater than the original bid of the third lowest eligible and responsible bidder, then the bidder having the lower of these two bids shall be selected; provided, that if the third lowest eligible and responsible bidder is selected his sub-bidders shall be similarly considered. The general contractor finally selected by the aforementioned process of substitutions shall become the lowest responsible and eligible bidder.

All subcontractors when finally selected shall be notified in writing of their selection within forty-eight hours thereafter by the general contractor.

(E) If a subcontractor who has been selected and included in the general contract fails to execute the sub-contract document, contingent upon the final execution of the general contract, within five days, Sundays and holidays excluded, after notice of selection, the awarding authority and the general contractor shall select, from the sub-bidders who have conformed to the bidding procedure, a responsible and eligible bidder at the amount named in such sub-bid, and the total contract price shall be revised in accordance with the change in figures as submitted.

The awarding authority shall reserve the right to reject all sub-bids on any item or items, if it is determined that none of such bids represents the bid of a person or firm competent to perform the work as specified, or that only one such bid was received and that the price is not reasonable for acceptance without competition. If a rejection of a sub-bid occurs, new bids shall be requested on such item or items as may have been rejected, which shall in no way affect the other sub-bidders who have conformed to the prescribed bidding procedure. Such new bids shall be obtained by written invitation to three or more qualified sub-bidders and shall be publicly opened at a time and place to be specified in the invitation for bids.

(F) If a general bidder customarily performs with his own employees any sub-trade or trades listed in item two of the bid, he may submit a bid on the form as herein required of all regular subcontractors, and shall also submit his name and amount for such work in his own bid for the general work under item two. Such submission by the selected

general contractor shall be considered on a par with sub-bids filed with the awarding authority by sub-bidders who customarily perform such work. No such sub-bid by a general contractor shall be considered, however, unless the general bidder can show, to the satisfaction of the awarding authority, that he does customarily perform such work, and is qualified to do the character of work required by the specifications.

(G) A bid form containing the following provisions must be submitted by general bidders: —

BID FORM FOR GENERAL CONTRACTORS.

To.....(awarding authority)

(a) The undersigned proposes to furnish all the labor and materials required for the construction of.....
on.....Street,.....(city),
Massachusetts, for.....(owner),
in accordance with the accompanying plans, specifications and addenda numbered.....prepared by.....(name),
of.....(address), for the sum specified below,
subject to additions and deductions according to the specifications and in all respects according to the terms thereof.

(b) The undersigned agrees that he will within five days, Sundays and holidays excluded, after presentation thereof by the awarding authority, execute the contract and furnish a performance bond and also a labor and materials or payment bond, each of a surety company qualified to do business under the laws of the commonwealth and satisfactory to the awarding authority and each in the sum of at least fifty per cent of the contract price, the premiums for which are to be paid by the general contractor and are included in the contract price.

(c) The proposed contract sum is.....
dollars (\$.....).

(d) The subdivision of the proposed contract sum is as follows: —
Item 1. The work of the general contractor, being all work other than that covered by the following item two.....
dollars (\$.....).

Item 2. Sub-bids as follows: —

Bidder	Amount
(1).....
(2).....
Etc.....
Total of Item 2	\$.....

The undersigned agrees that the list of sub-bidders represents bona fide bids based on the plans and specifications, made in good faith to the bidder, and are hereby submitted, and that, if the undersigned is awarded the contract, they will be used for the work indicated, at the amounts stated, if satisfactory to the awarding authority.

The undersigned agrees that if he is selected as general contractor he will promptly confer with the awarding authority on the question of sub-bidders and that the awarding authority may substitute for any sub-bids listed above, the names and amounts of sub-bids as submitted for this work and filed with the awarding authority, as required by the notice to bidders, against whose standing and ability the undersigned makes no objection, and that he will use all such finally selected sub-bidders at the amounts so named and be in every way as responsible for them and their work as if they had been originally named in this bid, the total contract price being adjusted to conform thereto.

Date.....

 (Name of Firm)
 By.....

 (Title)

 (Business Address)

 (City and State)

Note. — If the bidder is a corporation, indicate state of incorporation under signature, and affix corporate seal; if a partnership, give full names and residential addresses of all partners; and if an individual, give residential address if different from business address.

(H) A bid form containing the following provisions must be submitted by subcontractors submitting bids on classes of work listed under item two.

BID FORM FOR SUBCONTRACTORS.

To.....
 (general contractor).....

(a) The undersigned proposes to furnish all labor and materials required for the completion of all the work specified under the sub-heading..... Section No.....
 in accordance with the plans, specifications and addenda numbered....., prepared by.....
 for.....
 located on..... Street..... (city),
 (state), for..... (owner),
 for the contract sum of.....
 dollars (\$.....).

(b) The names of all sub-bidders furnishing labor and materials included in the above proposal and the amounts of their bids are as follows: —

Name.....	Amount.....
Name.....	Amount.....

(c) The undersigned agrees that the above list of subcontractors represents bona fide bids based on the plans and specifications, made in good faith to this bidder, and are hereby submitted, and that, if the undersigned is awarded the contract, they will be used for the work indicated, at the amounts stated, if satisfactory to the awarding authority.

(d) The undersigned further agrees to be bound to the general contractor by the terms of the general conditions, drawings and specifications, and to assume toward him all the obligations and responsibilities that he, by those documents, assumes toward the owner.

The undersigned offers the following information as evidence of his qualifications to perform the work as bid upon according to all the requirements of the plans and specifications: —

1. Have been in business under present business name..... years.
2. Ever failed to complete any work awarded?.....
3. List one or more recent buildings with names of general contractor and architect on which you served as subcontractor for work of similar character as required for the above-named building.

Building	Architect	General Contractor	Amount of Contract
(a).....
(b).....
(c).....

4. Bank reference.

Note. — The sub-bidder may add the following information in filing copy of his bid with the awarding authority. If such information is not so submitted, it shall be understood that his proposal is available for use with whatever general contractor is selected.

The above proposal is being sent to the following general bidders:

.....
.....

The proposal may not be used by any other general contractor without the consent of the undersigned.

Date.....

(Name of Firm)

By.....

(Title)

(Business Address)

(City and State)

Note. — If the bidder is a corporation, indicate state of incorporation under signature, and affix corporate seal; if a partnership, give full names and residential addresses of all partners; and if an individual, give residential address if different from business address.

SECTION 4. Said chapter 149 is hereby further amended by inserting after section 44D, added by chapter 480 of the acts of 1939, the following section: — *Section 44E.* The department shall enforce sections forty-four A to forty-four D, inclusive, and shall have all necessary powers to require compliance therewith, including proceedings in the superior court to restrain the awarding and performance of all contracts covered by said sections.

SECTION 5. This act shall not apply to any contract awarded pursuant to any invitation for bids issued on or before the date it takes effect, or to any persons or bonds in respect of any such contract. *Approved June 10, 1954.*

G. L. (Ter. Ed.), 149, new § 44E, added.

Enforcement powers of department.

Chap.646 AN ACT RELATIVE TO THE CARE AND PROTECTION OF CHILDREN, AND RELATIVE TO THE ADVISORY BOARD OF THE DEPARTMENT OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 119 of the General Laws is hereby amended by striking out sections 1 to 51, inclusive, as amended, and inserting in place thereof the following thirty-nine sections: — *Section 1.* It is hereby declared to be the policy of this commonwealth to direct its efforts, first, to the strengthening and encouragement of family life for the protection and care of children; to assist and encourage the use by any family of all available resources to this end; and to provide substitute care of children only when the family itself or the resources available to the family are unable to provide the necessary care and protection to insure the rights of any child to sound health and normal physical, mental, spiritual and moral development.

The purpose of this chapter is to insure that the children of the commonwealth are protected against the harmful

G. L. (Ter. Ed.), 119, §§ 1-51, etc., stricken out and §§ 1-39, inserted.

Declaration of policy.

Purpose of chapter.

effects resulting from the absence, inability, inadequacy or destructive behavior of parents or parent substitutes, and to assure good substitute parental care in the event of the absence, temporary or permanent inability or unfitness of parents to provide care and protection for their children. This chapter shall not apply to a private school furnishing board and lodging to pupils and approved as provided in section one of chapter seventy-six, or to camps conducted for children during the summer months.

Section 2. Sections one to thirty-nine, inclusive, shall be liberally construed to accomplish the purposes sought.

Liberal construction required.

Section 3. The following words and phrases when used in sections one to thirty-nine, inclusive, shall, unless the context otherwise requires, be construed as follows: —

“Department”, shall mean the department of public welfare.

Definitions.

“Division”, shall mean the division of child guardianship of the department of public welfare.

“Parent”, means mother or father, unless specified parent as defined under section one of chapter one hundred and eighteen.

“Advisory Board”, means the department advisory board.

“Custody”, shall include the following powers: — (1) to determine the child’s place of abode, medical care and education; (2) to control visits to the child; (3) to consent to enlistments, marriages and other contracts otherwise requiring parental consent. In the event that the parent or guardian shall object to the carrying out of any power conferred by this paragraph, said parent or guardian may make application to the committing court and said court shall review and make an order on the matter.

“Evidence”, shall be admissible according to the rules of the common law and the General Laws and may include reports to the court by any person who has made an investigation of the facts relating to the welfare of the child and is qualified as an expert according to the rules of the common law or by statute or is an agent of the department or of an approved charitable corporation or agency substantially engaged in the foster care or protection of children. Such person may file with the court in a proceeding under said sections a report in full of all the facts obtained as a result of such investigation. The person reporting may be called as a witness by any party for examination as to the statements made in the report. Such examination shall be conducted as though it were on cross-examination.

Section 4. Any person, other than a relative by blood or marriage, who, for hire, gain or reward, receives or has under his care or control any child under sixteen years of age, of whom he is not the legal guardian, for purposes of giving such child a home, or for board or for adoption, shall be deemed to maintain an independent foster home for children, unless such child was placed in his care by the department, or a public or private social agency which has been author-

Maintenance of independent foster home for children, when deemed.

Notice to
department.

ized by the department to place children under sections fourteen to twenty-two, inclusive. Within two days after receiving such a child, such persons shall give written notice to the department of the date and the terms upon which such child was received, with the name, age and birthplace of the child, name and address of its parents, and the name and address and relationship of the person from whom the child was received. Within two days after the discharge or adoption of such a child, the person shall give written notice to the department in the form prescribed by the department.

Permit for
maintenance
of such home,
required, etc.

Section 5. No person shall maintain an independent foster home for children unless such person has been issued a permit therefor by the department. The notice to the department required under section four shall be deemed to be an application for such a permit. The department shall issue a permit to any person whom it finds suitable to maintain a foster home for children, and may revoke the same upon violation of any provision of this chapter or any of the rules and regulations of the department relative to maintaining an independent foster home or for failure properly to provide for a child in his care; provided, however, that such person shall have the right of appeal to a district court from the ruling or decision of said department.

Appeal to
district
court upon
revocation
of permit.

Placement of
certain
children,
regulated.

Section 6. No person other than a parent, as defined in section one of chapter one hundred and eighteen, shall place any child under sixteen years of age of whom he is not the legal guardian in the care or control of any other person not related to such child by blood or marriage for purposes of giving such child a home, or for board, or for adoption. Whenever a parent or legal guardian of such a child places the child under the care or control of another person not related by blood or marriage to the child for hire, gain or reward, written notice to the department shall be given within two days thereafter of the date and terms upon which such child was placed, with the name, age and birthplace of the child, name and address of its parents, and the name and address of the person with whom the child was placed; and, upon request of the department, shall give further information and render such further reports as may be required concerning such child. This section shall not apply to the placement of children by the department or any public or private agency authorized by the department to place children under sections fourteen to twenty-two, inclusive.

Exception.

Duty of per-
son placing
child.

Section 7. A person receiving or placing a child for board, or for giving it a home, or for adoption as described in sections one to six, inclusive, shall give true answers, so far as his knowledge extends, and upon any prosecution, a defendant who relies in defence upon the relationship of any said child to himself shall have the burden of proof thereof.

Visits by
department,
required.

Section 8. The department may visit any independent foster home for children and shall visit at least annually any home where two or more unrelated children are boarded for

financial consideration. Upon receipt of notice or any information of the placement or reception of a child described in sections one to seven, inclusive, an agent of the department may enter without actual force any building or room where such child is sheltered and maintained, and may investigate the case and make such recommendations as are deemed expedient.

Section 9. An agent may be authorized by the department to remove such child to its care if in its judgment the welfare of the child or its protection from neglect or abuse so require. An agent who is refused such entry, or who is hindered in the removal of such child, may make complaint, on oath, to a justice of the court having jurisdiction, who may thereupon issue a warrant authorizing him to obtain sufficient aid, and at any reasonable time enter the building designated, and any part thereof, to investigate the treatment and condition of a child found there and to remove such child as herein provided. The department shall take such child temporarily into its care and forthwith notify the child's parent or legal guardian, and shall, upon request, discharge such child to its parent or legal guardian. If the parent or legal guardian is unable or refuses to make suitable provisions for the child, the department shall make lawful provisions for its care under section twenty-three or twenty-four.

Authority of department in certain cases.

Section 10. The department, upon being authorized by a court of competent jurisdiction and subject to revocation of such authority, may notify any person to whom a permit has been refused, or whose permit has been revoked, or from whose care a child has been removed, that no child of which he is not the legal guardian shall be received or maintained by him even for a temporary period without specific written authorization by the department.

Same subject.

Section 11. No person shall cause to be published in a newspaper circulated in the commonwealth an advertisement or notice for the placement or reception of a child under sixteen years of age for board, for giving it a home, or for adoption unless such advertisement is placed by the department, a public or private agency authorized by the department under sections fourteen to twenty-two, inclusive, or an independent foster home for children licensed under section five, or unless with the written approval of the department.

Publication of advertisement seeking placement, etc., of certain children, regulated.

Section 12. The department shall adopt rules and regulations relative to independent foster homes for children. The rules and regulations adopted by the department shall be subject to review and approval by the advisory board and may include, among others, provisions governing the standards of care for such children; provisions relative to the issuance of permits to maintain foster homes for children and the renewal terms thereof; provisions for exemption of certain placements where, in the opinion of the department, the best interests of the child shall be served; provisions re-

Rules and regulations relative to independent foster homes for children.

quiring reporting of information by persons who have such children under their care and control; provisions relative to the number of children who may be cared for at any time; and provisions relative to the standards of health, sanitation, safety and fire prevention, which shall be required in any place where such children are maintained.

Penalty.

Section 13. Whoever wilfully violates any of the provisions of sections one to twelve, inclusive, shall be punished by a fine of not more than five hundred dollars.

Definition of
a children's
foster care
agency.

Section 14. Any agency, institution, organization, corporation or group of persons receiving for care any child under sixteen years of age for the purpose of substituting for rearing by the child's parents as defined in section one of chapter one hundred and eighteen through (1) offering group care, maintenance, training or supervision, notwithstanding the fact that such care may include educational instruction, or (2) offering placement of said child in private family homes for boarding, adoption or other family care, shall be deemed to be a children's foster care agency.

License
required.

Section 15. No children's foster care agency may operate unless licensed to do so by the department.

Purpose of
license,
stated.

Section 16. The purpose of such licensing and subsequent sections relating to it shall be to insure maintenance of adequate standards of foster care for children, encouragement and assistance toward maximum standards, and the development of sufficient and adequate facilities for child-care through joint work of public and private agencies for child-care.

Term of
license.

Section 17. Such licenses shall be in force for three years from the date of issuance unless revoked under section twenty-one and shall be renewable on application.

Power of
department
to establish
standards,
etc.

Section 18. The department shall have the power to set standards necessary for such licenses and make other necessary rules and regulations relative to such licensing subject to review and approval by the advisory board. In defining and revising said standards the department shall consult with and utilize the experience of representative private children's foster care agencies.

Initial
provisional
license.

Section 19. An initial provisional license may be granted to agencies providing foster care for children in existence on the effective date of this section for a three year period pending development by the agency as agreed upon with the department to meet the established standards, rules and regulations.

Conditions
for issuance
of license.

Section 20. Licenses shall be issued only when study by the division demonstrates that said agency is operating in conformity with the standards, rules and regulations established by the department for such agencies.

Revocation
or renewal of
such licenses,
regulated.

Section 21. If any licensed or provisionally licensed agency as defined above wilfully and substantially fails to conform as provided for above, said license or provisional license may be revoked or renewal refused. No license shall be revoked or renewal refused unless the holder of said li-

cense has been given due notice of three months, which notice shall include a statement of the grounds of such revocation or refusal and the appeal procedure within the department. The aggrieved agency may, within thirty days of such notice, appeal the decision to the commissioner who shall, within thirty days, arrange for a departmental hearing at which the facts involved from the aggrieved agency and the department shall be heard, and a finding made on the basis of the facts as to whether or not the revocation or refusal shall stand, and shall so notify the aggrieved agency within thirty days. If the revocation or refusal is sustained, the aggrieved agency may appeal to the superior court which shall hear the case and finally determine whether license shall be issued.

Appeal to superior court.

Section 22. Any agent, representative or officer of any agency providing foster care for children who operates such an agency without license shall, upon conviction, be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one year, or both.

Penalty for operating without license.

Section 23. The department shall have the responsibility for providing foster care for children through its own resources or by use of appropriate voluntary agencies according to the rules and regulations of the department in the following instances:

Responsibility of department to provide foster care.

A. Upon the application of a parent or guardian or any person acting in behalf of the child, or of the child himself, the department may accept for foster care any child under twenty-one years who in its judgment is in need of foster care. Such acceptance shall entail no abrogation of parental rights or responsibilities, but the department may accept from parents a temporary delegation of certain rights and responsibilities necessary to provide the foster care for a period of time under conditions agreed upon by both and terminable by either.

B. The department may accept from parents voluntary surrender of custody of their children under twenty-one years for purposes of giving consent for adoption under the same conditions as noted in paragraph A of this section.

C. The department may seek and may accept on order of a probate court the temporary or permanent guardianship of any child under twenty-one years who is without proper guardianship due to the death, unavailability or incapacity of the parent or guardian, or on the consent of the parent or parents. Such guardianship shall include the right to determine the child's place of abode, medical care, education; to control visits to the child; to give consents to enlistments, marriages and other contracts requiring parental consent, such guardianship to include the right to consent to adoption only when it is expressly included in the order of the court.

D. The department shall accept on commitment from the Boston juvenile court and from any juvenile session of a district court of the commonwealth or from any superior

civil court of the commonwealth any child under sixteen years of age declared in need of foster care under section twenty-six.

E. Any child under fourteen years who is left in any place and who is seemingly without a parent or legal guardian available shall be immediately reported to the department, which shall proceed to arrange care for such child temporarily and shall forthwith cause search to be made for parent or guardian. If parent or guardian cannot be found or is unable or refuses to make suitable provisions for the child, the department shall make such lawful provision as seems for the best interests of such child within the provisions of this chapter.

Neglected children may be brought into court upon precept, etc.

Section 24. The Boston juvenile court or the juvenile sessions of any district court of the commonwealth, except the municipal court of the city of Boston, upon the petition of any person alleging on behalf of a child under the age of sixteen years within the jurisdiction of said court that said child is without necessary and proper physical, educational or moral care and discipline, or is growing up under conditions or circumstances damaging to a child's sound character development, or who lacks proper attention of parent, guardian with care and custody, or custodian, and whose parents or guardian are unwilling, incompetent or unavailable to provide such care, may issue a precept to bring such child before said court, shall issue a notice to the department, and shall issue summons to both parents of the child to show cause why the child should not be committed to the custody of the department of public welfare or other appropriate order made. If after reasonable search no such parent can be found, summons shall be issued to the child's lawful guardian, if any, known to reside within the commonwealth, and if not, to the person with whom such child last resided, if known. Upon the issuance of the precept and order of notice the court shall appoint a person qualified under section three, to make a report to the court under oath of an investigation into conditions affecting the child. Said report shall then be attached to the petition and be a part of the record.

Investigation and report to court.

Hearing upon petition, continuance, etc.

Section 25. When such child is taken into custody upon said precept and brought before said court, the court may then hear said petition, or said petition may be continued to a time fixed for hearing, and the court may allow the child to be placed in the care of some suitable person or licensed agency providing foster care for children or the child may be committed to the custody of the department, pending a hearing on said petition.

Adjudication and commitment of child to custody of department.

Section 26. If the child is identified by the court and it appears that the precept and summonses have been duly and legally served, that said notice has been issued to the department and said report is received, the court may excuse the child from the hearing and shall proceed to hear the evidence. If the court finds the allegations in the peti-

tion proved within the meaning of this chapter, it may adjudicate that said child is in need of care and protection and may commit the child to the custody of the department until he becomes twenty-one years of age or until in the opinion of the department the object of his commitment has been accomplished, whichever occurs first; or may make any other appropriate order with reference to the care and custody of the child as may conduce to his best interests; and in appropriate cases shall order the parents or parent of said child to reimburse the commonwealth or other agency for care.

Section 27. The child, parent, guardian or person appearing in behalf of such child, or the department, may appeal from the adjudication of the court to the superior court sitting for civil business for the county where the hearing is held, and also may appeal to said court at the time of the order of commitment in which event the entire case shall be before said court as if originally commenced therein; and the child may be committed to the custody of the department or placed in the care of some suitable person or licensed children's foster care agency pending determination of the appeal. Such appeal shall be entered in the superior court by the court from which the appeal is taken, without payment of any entry fee, and the superior court may advance such complaint for speedy trial. The court shall notify the child, parent, guardian or person appearing in behalf of such child of the right of appeal at the time of adjudication and also at the time of commitment.

Appeal to
superior court.

Section 28. The court by which a child is committed to the department or placed in the care of a suitable person or licensed children's foster care agency under section twenty-five, twenty-six or twenty-seven may make an order for the payment, by his parents or by his guardian, out of the ward's property, to the department or such person or agency at times to be stated in the order, of sums not exceeding the cost of his support; provided, that no order for the payment of money shall be entered until the person by whom payments are to be made shall have been summoned before the court and given an opportunity to be heard. The court from time to time, upon petition by or notice to the person ordered to pay such sum of money or by the department, may revise or alter such order or make a new order as the circumstances may require.

Court order
of payment
from ward's
property,
authorized.

Section 29. Whenever a child is before any court under sections twenty-four, twenty-five, twenty-six and twenty-seven and has no counsel, any person may, with the court's approval, act for him.

Counsel.

Section 30. If such child has a settlement, and if the board of public welfare of the place of his settlement so requests, the commitment may be to its custody. The department may transfer its custody of any such child who has a settlement to the board of public welfare of the place of settlement upon the request of said board, and such transfer

Transfer of
custody to
board of
public welfare,
when per-
mitted.

shall thereafter relieve the commonwealth from further liability for his maintenance.

Powers of
said boards.

Section 31. Boards of public welfare shall have the same powers as to children committed or transferred to their custody as are given to the department as to children in its custody. Boards of public welfare may with the approval of the department transfer to the department children so committed or transferred, which department shall have the same powers and duties as to such children as are given to the department as to children committed to its custody.

Placement in
private fami-
lies, preferred.

Exception.

Section 32. Children in the care or custody of the department shall be placed in private families; provided, that any child who upon examination is found to be in need of special care, treatment or education may, if it is found by the department to be in the best interest of the child, be placed in a public or private institution or school, the primary purpose of which is the special care, treatment or education of children. The reasons for the placement of any such child shall be entered in the records of the department.

Free exercise
of the reli-
gious belief
of parents,
guaranteed.

Section 33. No parents or surviving parent of any minor child in the care or under the supervision of the department or of any state, county or local department, or of any state, county or local board of trustees, or of any private charitable or child-care agency, shall be denied the right of any child of theirs to the free exercise of the religious belief of his parents and the liberty of worshipping God according to the religion of his parents or surviving parent, or of the religion which his parents professed if they are both deceased; and no minor child in the care or under the supervision of the department or of any state, county or local department, or state, county or local board of trustees, or of any private charitable or child-care agency, shall be denied the free exercise of the religion of his parents, or of his surviving parent, or of his parents if they are both deceased, nor the liberty of worshipping God according to the religion of his parents, whether living or deceased.

When a child is placed in family home care, any of the above named departments, boards or agencies, shall use a family home of the same religious faith as that of the child unless sufficient reason precludes this, which reason must be a part of the record of the child's care. The words "same religious faith" shall in the case of any denomination of the Protestant religion include any other denomination of the same religion.

Transportation
of certain
children in
patrol wagon
prohibited.

Section 34. A child involved in any proceeding shall not be transported in a patrol wagon from his home or from any other place to any court or institution, but if a conveyance is necessary shall convey him in such other suitable vehicle as shall be provided or designated by the institutions commissioner in Boston, or by the board of public welfare in any other town. Violation of this section shall be punished by a fine of not less than twenty-five nor more than fifty dollars or by imprisonment for not more than three months.

Penalty.

Section 35. If the parent or guardian of a child placed in charge of any person, association or public or private institution by any state department, town board, or by any public or private corporation or body of persons authorized by law to so place children, or if one of the next of kin of an orphan so placed in charge and without guardian, is not, upon request, informed by such department, board, corporation or body of persons where the child is, the probate court for the county where such child has his legal residence may, upon petition of such parent, guardian or next of kin, and upon notice, if in its opinion the welfare of the child and the public interest will not be injured thereby, require such department, board, corporation or body of persons to give the information and permit the parent, guardian or next of kin to visit the child at such times and under such conditions as the court orders; and the court may revise its order or make new orders or decrees as the welfare of the child and the public interest may require.

Information as to whereabouts of child and right to visit it, how secured.

Section 36. No person or institution shall bring or cause to be brought into the commonwealth, or receive therein, from any other state, province or country, any child for the purpose of placing or boarding, or of procuring the placing or boarding of such child, in a family or home within the commonwealth, with a view to adoption, guardianship, custody or care by any person other than one related to him by blood or marriage, without first obtaining a permit therefor from the department. Such a permit shall not issue until a written application therefor has been filed with the department on forms by it prepared, containing such information relative to such child as the department may require, accompanied by an individual or blanket bond running to the commonwealth in such penal sum and with such surety or sureties as the department may approve, conditioned on the following: — (1) that all statements contained in such an application are true in substantial particulars; (2) that any such child becoming a public charge during his minority shall be removed from the state not later than thirty days after notice from the department; (3) that such child shall be removed from the state immediately upon his release from any penal or reformatory institution or training school to which he has been committed, within three years of his arrival within the state, for juvenile delinquency or crime; (4) that such child shall be placed or boarded under such agreement as will secure to him a proper home and surroundings, and as will render his custodian responsible for his proper care, education and training, under adequate supervision and subject to annual visitation by an agent; and (5) that such reports relative to the child shall be made to the department as it may require. In case of a breach of any condition of such a bond, the attorney general, upon request of the department, shall put the bond in suit, and the commonwealth or any city or town thereof shall be reimbursed from the proceeds for any expense incurred by rea-

Bringing children into state for certain purposes, regulated.

Permit, bond, etc.

Penalty.

son of a breach of any such condition. Violation of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or both.

Rules and regulations.

Section 37. The department shall make rules and regulations concerning the administration of its duties under these sections, which rules and regulations shall be reviewed and approved by the advisory board. Such rules and regulations shall be subject to review and change from time to time by the advisory board.

Advisory board, control thereof.

Hearings to be closed to general public.

Section 38. All hearings under sections one to thirty-seven, inclusive, shall be closed to the general public and it shall be unlawful to publish the names of persons before the court in any hearing provided for therein, except under section twenty-one.

Penalty for abandonment of infant, etc.

Section 39. Whoever abandons an infant under the age of ten within or without any building, or, being its parent, or being under a legal duty to care for it, and having made a contract for its board or maintenance, absconds or fails to perform such contract, and for four weeks after such absconding or breach of his contract, if of sufficient physical and mental ability, neglects to visit or remove such infant or notify the board of public welfare of the town where he resides of his inability to support such infant, shall be punished by imprisonment in a jail or house of correction for not more than two years; or, if the infant dies by reason of such abandonment, by imprisonment in a jail or house of correction for not more than two and one half years or in the state prison for not more than five years.

G. L. (Ter. Ed.), 18, § 2, etc., amended.

Organization of department of public welfare.

Commissioner, advisory board, etc.

SECTION 2. Chapter 18 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 602 of the acts of 1952, and inserting in place thereof the following section: — *Section 2.* The department shall be under the supervision and control of a commissioner of public welfare, who shall be its executive and administrative head, and an advisory board consisting of fifteen appointive members, of whom five shall be women. At least five members shall be persons with special experience and interest in child welfare, and the five persons having such special experience and interest shall be a subcommittee whose special responsibility shall be to review and advise the board with respect to the program, policies, rules and regulations of the division of child guardianship. The commissioner shall receive such salary, not exceeding ten thousand dollars, as the governor and council determine. Upon the expiration of his term of office, his successor shall be appointed for five years by the governor, with the advice and consent of the council.

G. L. (Ter. Ed.), 18, § 3, etc., amended.

Membership of advisory board.

SECTION 3. Section 3 of said chapter 18, as amended by section 2 of said chapter 602, is hereby further amended by striking out, in line 1, the word "Three" and inserting in place thereof the word: — Five, — so as to read as follows: — *Section 3.* Five members of the advisory board shall be

appointed annually by the governor, with the advice and consent of the council, for three years each. The members shall receive no compensation, but shall be reimbursed for their actual necessary expenses incurred in the performance of their official duties.

Approved June 10, 1954.

AN ACT RELATIVE TO THE CONTROL AND ERADICATION OF BRUCELLOSIS IN BOVINE ANIMALS. Chap. 647

Be it enacted, etc., as follows:

SECTION 1. Chapter 129 of the General Laws is hereby amended by striking out section 33B, as amended by chapter 96 of the acts of 1934, and inserting in place thereof the following section: — *Section 33B.* The director may, upon application to him by not less than seventy-five per cent of the cattle owners owning cattle permanently kept in any city or town, or upon like application by the owners of eighty-five per cent of such cattle, declare said city or town a quarantine area and may proceed to test by an approved test for brucellosis or by the tuberculin test or otherwise all bovine animals within said area. Whenever not less than eighty-five per cent of the cattle permanently kept in the commonwealth are being tested for brucellosis or bovine tuberculosis under the supervision of the director or of the appropriate federal officials, the director may declare the entire commonwealth to be a quarantine area and may proceed to test by an approved test for brucellosis or by the tuberculin test or otherwise all bovine animals within the commonwealth. If the director finds and declares that such a city or town or the commonwealth, as the case may be, is substantially free from brucellosis or bovine tuberculosis, he may proclaim it to constitute a modified accredited area and may prescribe rules and regulations, subject to the approval of the governor and council, prohibiting the shipment or transportation into the same of any bovine animals without a permit and health certificate issued by the director or some officer designated by the director for the purpose. Whoever violates the terms and conditions of any such quarantine or any such rule or regulation shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both.

G. L. (Ter. Ed.), 129, § 33B, etc., amended.

Power of director in the control and eradication of brucellosis in bovine animals.

Penalty.

SECTION 2. Said chapter 129 is hereby further amended by striking out section 36B, as most recently amended by chapter 518 of the acts of 1952, and inserting in place thereof the following section: — *Section 36B.* The director shall cause all calves to be vaccinated against brucellosis, commonly known as Bang's disease, when they are between the ages of four and eight months, except calves in those herds under the state and federal co-operative herd test plan, also known as the test and slaughter method, which calves need not be vaccinated unless the owner desires. Calves shall be vaccinated by an approved licensed veterinarian designated

G. L. (Ter. Ed.), 129, § 36B, etc., amended.

Vaccination of calves against brucellosis, required.

Exception.

by the director and only with vaccine produced at establishments licensed under the Federal Virus-Serum-Toxin Act, or at establishments in the commonwealth approved by the director and the expense thereof shall be borne by the commonwealth. Such service shall be rendered not more than three times in any calendar year to the same owner. The director shall make the necessary rules for the handling of the vaccine and the method of vaccination. Any person refusing to have his calves vaccinated shall not be permitted to move any of his cattle from his premises except for slaughter, unless such cattle react negatively to an approved blood test for brucellosis. Each veterinarian shall make a report of all animals vaccinated by him on forms furnished by the director. The commonwealth shall not be liable for any damages incurred or alleged to have been incurred by the use of any vaccine. Whenever any livestock are tested for brucellosis and determined to react positively to such tests, or are vaccinated against brucellosis, the owner of the livestock shall cause them to be permanently identified in accordance with regulations prescribed by the director. It shall be unlawful for any person to transport or offer for transportation any unvaccinated bovine animal over six months of age, and any vaccinated bovine animal over thirty months of age, that has been tested for brucellosis and has reacted positively to such tests, except (a) livestock moved under permit issued by the director to places where state or federal livestock disease-control inspection is maintained for immediate slaughter; or (b) livestock owned by farmers and moved under same ownership identified pursuant to this act and moved under permit issued by the director only to a herd in which brucellosis has been determined by the director to exist.

Any person, firm or corporation who buys, sells or transports an animal known to be positive to an approved test for brucellosis, except animals under thirty months of age which were vaccinated between the ages of four and eight months and accompanied by an official record of vaccination, or except unvaccinated animals less than six months of age, or except animals for immediate slaughter, or except animals moving under clause (b) shall be fined not more than two hundred dollars for each animal bought, sold, or transported.

SECTION 3. Said chapter 129 is hereby further amended by inserting after section 36C the following two sections: —
Section 36D. No person shall transport or offer for transportation, or buy or sell, cattle, except for immediate slaughter unless such cattle either (1) have been tested for brucellosis by prescribed methods within thirty days immediately prior to date of buying, selling or transporting and found negative in the latest of such tests; or (2) originate in a certified brucellosis-free herd at time of sale or offer for transport; or (3) are under thirty months of age and have been officially vaccinated between four and eight months of age; or (4) are under six months of age.

Penalty for dealing in infected animals.

G. L. (Ter. Ed.), 129, new §§ 36D, 36E, added.

Transportation, sale, etc. of cattle, regulated.

Section 36E. No person shall import into the common-wealth livestock over six months of age without an official certificate of vaccination stating such livestock to have been officially vaccinated for brucellosis between four and eight months of age.

Importation into common-wealth of livestock, regulated.

SECTION 4. Section one of this act shall take effect on January first, nineteen hundred and fifty-eight, and section three shall take effect on January first, nineteen hundred and sixty.

Effective dates.

Approved June 10, 1954.

AN ACT PROVIDING FOR THE FILING OF JOINT RETURNS AND FOR THE EXTENSION OF TIME FOR FILING OF RETURNS AND PAYMENT OF TAX UNDER THE PERSONAL INCOME TAX LAW.

Chap. 648

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to enable the commissioner of corporations and taxation to grant forthwith certain extensions of time for filing tax returns and payments of taxes, and where additional time is granted for the payment of taxes, to abate interest occasioned by such delayed payment, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Section 22 of chapter 62 of the General Laws is hereby amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 62, § 22, amended.

Where a husband and wife were at the close of the preceding calendar year married and not separated by a decree of divorce or separate maintenance, either may join with his or her spouse in filing a return in which the combined aggregate income, losses and exemptions of both spouses is included. Such a return shall be known as a joint return, and each spouse shall be jointly and severally liable for the entire tax.

Joint income tax returns, authorized.

SECTION 2. Said chapter 62 is hereby further amended by striking out section 29, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 29.* For due cause the commissioner may grant an extension of time for filing any return required by this chapter, but in no event shall the additional time exceed six months. In the event that it is established to the satisfaction of the commissioner that payment of the tax at the time prescribed by law would work an undue hardship, he may grant whatever additional time he deems appropriate for paying the tax. In the event additional time for paying the tax is granted, the commissioner in his discretion may abate, in whole or in part, the interest occasioned by such delayed payment.

G. L. (Ter. Ed.), 62, § 29, amended.

Extensions for filing returns and payments, authorized.

Approved June 10, 1954.

Chap. 649

AN ACT RELATIVE TO ADOPTIONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 210, new § 2A, added.

Requirements necessary for entering decree of adoption.

SECTION 1. Chapter 210 of the General Laws is hereby amended by inserting after section 2 the following section: —
Section 2A. No decree of adoption shall be entered for the adoption of a child below the age of fourteen until one of the following conditions has been met: —

(A) The child sought to be adopted has been placed with the petitioners for adoption by the department of public welfare or by an agency authorized by said department for such purpose, or

(B) The petitioner is a blood relative of the child sought to be adopted, or

(C) The petitioner is a step-parent of the child sought to be adopted, or

(D) The petitioner was nominated in the will of a deceased natural parent of the child as a guardian or an adoptive parent, or

(E) The petition for adoption has been approved in writing by the department of public welfare or by an agency authorized by said department. Any petitioner aggrieved by the arbitrary refusal of the department or of an agency to approve such petition after being requested to do so, may within thirty days after receiving notice of its decision apply to the advisory board of the department for a review of the said action, and said board shall give a hearing to the applicant and shall review the action of the department or agency and make a finding within thirty days of the filing of the application with said board, and shall notify the applicant thereof. Any applicant aggrieved by an adverse finding by the said advisory board may appeal such finding to the probate court in which the petition for adoption is pending, which shall review the action of the department or agency and shall make final determination as to the approval of the petition by the department or agency.

G. L. (Ter. Ed.), 210, § 5A, etc., amended.

SECTION 2. Section 5A of said chapter 210, as amended by section 2 of chapter 737 of the acts of 1950, is hereby further amended by adding at the end the following paragraph: —

Adoption of certain children, regulated.

At any time after the report has been filed, the court after notice and hearing shall order the removal of the child from the proposed adoption home if, in the opinion of the court, such removal is in the best interests of the child. If such removal is ordered, the court shall appoint a guardian who shall be a relative of the child, a person designated by the department of public welfare or an agency licensed by the department to have custody of the child, with authority to provide for his future care. *Approved June 10, 1954.*

AN ACT CREATING A DIVISION OF SUBVERSIVE ACTIVITIES *Chap.650*
WITHIN THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

Section 3 of chapter 22 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

G. L. (Ter.
Ed.), 22, § 3,
amended.

There shall be in the department a division of subversive activities to receive reports of subversive activities within the commonwealth, to investigate such reports, to maintain records, to co-operate with the law-enforcement agencies of the commonwealth, and to report annually and from time to time as it may deem necessary to the commissioner and to the governor.

Division of
subversive
activities,
established.

Approved June 10, 1954.

AN ACT RELATIVE TO THE SALARY OF CERTAIN JUSTICES *Chap.651*
OF THE SUPERIOR COURT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section four of chapter seven hundred and forty-two of the acts of nineteen hundred and fifty-one, and section one of chapter five hundred and sixty-seven of the acts of nineteen hundred and fifty-three, any justice of the superior court who was appointed to said office between the first day of January, nineteen hundred and fifty-three, and the first day of June, nineteen hundred and fifty-four, both dates inclusive, shall receive such salary as is provided by section twenty-seven of chapter two hundred and twelve of the General Laws.

SECTION 2. This act shall take effect as of January first, nineteen hundred and fifty-four.

Approved June 10, 1954.

AN ACT AUTHORIZING THE COUNTY OF BRISTOL TO APPROPRIATE AND PAY A SUM OF MONEY TO EMERY RECORD *Chap.652*
PRESERVING COMPANY.

Be it enacted, etc., as follows:

To discharge a moral obligation, the county commissioners of Bristol county are hereby authorized to appropriate and pay to Emery Record Preserving Company of Taunton in said county, the sum of twelve hundred and six dollars in payment of a bill for services, material and labor furnished to said county, said bill having been contracted by Assistant Register Egan of the New Bedford Registry of Deeds without conference with or notice to the county commissioners, as a result of which no invitation to bidders on the work was issued and the bill is now unenforceable against the county.

Approved June 10, 1954.

Chap. 653 AN ACT FURTHER REGULATING THE PRACTICE OF EMBALMING
AND FUNERAL DIRECTING.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 13,
§§ 29-31,
amended.

Board of
registration
in embalming
and funeral
directing.

SECTION 1. Chapter 13 of the General Laws is hereby amended by striking out sections 29 to 31, inclusive, and inserting in place thereof the following three sections:—
Section 29. There shall be a board of registration in embalming and funeral directing, in this and the two following sections called the board, consisting of five members, citizens and residents of the commonwealth, each of whom shall have had at least five years' practical experience in embalming dead human bodies and in funeral directing. Each member of the board shall be appointed by the governor, with the advice and consent of the council, for a term of five years. As the term of office of a member of the board expires, his successor, qualified as aforesaid, shall be appointed by the governor, with like advice and consent, to serve for five years. Each member shall continue to serve until the qualification of his successor. The governor may also, with like advice and consent, fill any vacancy in the board for the unexpired term.

Residential
requirements
of appointees

In making such appointments, one member shall be a resident of Worcester county; one a resident of the district composed of Berkshire, Hampden, Franklin and Hampshire counties; one a resident of the district composed of Norfolk, Plymouth, Bristol, Dukes, Barnstable and Nantucket counties; one a resident of the district composed of Suffolk county and the cities of Everett, Malden, Medford, Cambridge and Somerville; and one a resident of the district composed of Essex county and Middlesex county, not including the cities of Everett, Malden, Medford, Cambridge and Somerville. No member shall serve more than one full term.

Not more than three members of said board shall be members of the same political party.

Meetings,
organization,
bond of
secretary.

Section 30. The board shall hold regular meetings on the first Tuesday of each month, and such additional meetings at such times and places as it may determine. At the regular meeting in October, it shall organize by the choice of a chairman and secretary, who shall be members thereof, and shall hold such offices for one year. The secretary shall give to the state treasurer a bond, with such sureties as shall be approved by the governor and council, for the faithful discharge of his duties.

Salaries and
expenses.

Section 31. There shall be paid by the commonwealth to the chairman of said board the sum of two thousand dollars annually, to the secretary of said board the sum of fifteen hundred dollars, and to each of the other members of said board the sum of one thousand dollars, and to all members of the board their necessary traveling and other expenses actually expended in attending meetings thereof. Said

board may expend any sum not exceeding five hundred dollars annually for purposes of instruction and dissemination of new and useful knowledge among and for the benefit of registered embalmers and funeral directors; provided, that such salaries and expenses shall not be in excess of the receipts for registration and renewals thereof received by the state treasurer from the board.

SECTION 2. Chapter 112 of the General Laws is hereby amended by striking out sections 82 to 87, inclusive, and inserting in place thereof the following sections:— *Section 82.* The following words, as used in this section and in sections eighty-three to eighty-seven, inclusive, shall have the following meanings, unless the context otherwise requires:—

G. L. (Ter. Ed.), 112, §§ 82-87, amended.

“Board”, the board of registration in embalming and funeral directing established by section twenty-nine of chapter thirteen.

Definitions.

“Person”, an individual, but not a partnership, corporation or association of any kind.

“Embalming”, the business, practice, science or profession, as commonly practiced, of preserving, disinfecting and preparing in any manner dead human bodies for burial, cremation or transportation.

“Funeral directing”, the business, practice or profession, as commonly practiced, of (a) directing or supervising funerals or providing funeral service; (b) handling or encasing, or providing services for handling or encasing, dead human bodies, and preparation of dead human bodies, otherwise than by embalming, for burial or disposal; (c) providing embalming services; (d) providing transportation, interment and disinterment of dead human bodies; and (e) maintaining an establishment so located, constructed and equipped as to permit the decent and sanitary handling of dead human bodies with suitable equipment in such establishment for such handling.

“Embalmer”, any person engaged, or holding himself out as engaged, in the business, practice, science or profession of embalming, whether on his own behalf or in the employ of a registered and licensed funeral director.

“Funeral Director”, any person engaged, or holding himself out as engaged, in the business, practice or profession of funeral directing.

“Apprentice embalmer”, any person engaged in the learning of the practice of embalming under the instruction and personal supervision of a duly registered embalmer; provided, that no person shall serve as such apprentice embalmer until he has been certified as such by the board.

Section 83. Applications for registration as embalmers, funeral directors or apprentice embalmers, and for establishment certificates, shall be made on blanks furnished by the board.

Registration of embalmers, funeral directors, etc.

No person shall be registered by the board as an embalmer unless he has been found by the board upon examination to

Embalmer, qualifications, examination, etc.

be twenty-one years of age or over, a resident of this commonwealth, a citizen of the United States, of good moral character; to have successfully completed a four-year high school course or to possess the educational equivalent thereof; to have served as an apprentice embalmer for two years under the personal supervision and instruction of a registered embalmer, during which period he has embalmed not less than fifty dead human bodies, and to have satisfactorily completed a course of instruction of not less than nine months in an embalming school approved by the board. Upon payment of ten dollars, such person shall be examined by the board, and if found to be qualified, shall be registered and given a certificate thereof signed by the chairman and secretary of the board.

Funeral
director.

No person shall be registered by the board as a funeral director unless he has been found by the board upon examination to be twenty-one years of age or over, a resident of this commonwealth, a citizen of the United States, of good moral character, a duly registered embalmer, unless such person is the widow of a duly registered and licensed funeral director; to have successfully completed a four-year high school course or has attained the practical equivalent of a high school education; to have satisfactorily completed a course of instruction of not less than nine months in a funeral directing school approved by the board or to have included and successfully completed the elements of such a course of instruction in his study schedule at the college or university which he has attended; to be qualified to prepare such death certificates and other documents as are required by the department of public health for the protection of the general public in the ordinary course of his business; to be familiar with the precautions to be taken to prevent the spread of communicable diseases as prescribed by the department of public health for the protection of the general public welfare; and to be conversant with the laws of the United States and of this commonwealth relative to (a) the custody of dead human bodies; (b) the preparation of such bodies for burial, cremation and shipment, as prescribed by the department of public health for the sanitary handling of dead human bodies by common carriers for the protection of public health; and (c) the cremation, burial and shipment of such bodies as prescribed by the department of public health for sanitary handling of dead human bodies by common carriers for the protection of public health.

Qualifications,
examination,
etc.

Fee.

Upon payment of ten dollars, such person shall be examined by the board. If such person is found to be qualified, such person shall be registered by the board as qualified to be licensed under section forty-nine of chapter one hundred and fourteen as a funeral director, and he shall receive a certificate of registration signed by the chairman and the secretary of the board; provided, that he shall not be so licensed until he furnishes satisfactory proof to the board that he will maintain within the commonwealth a funeral directing es-

tablishment so located, constructed and equipped as to permit the sanitary handling of dead human bodies.

Applicants for registration as embalmers or as funeral directors may, upon the payment of five dollars, be re-examined at any subsequent examination conducted by the board.

Any person desiring to become an apprentice embalmer shall make application on a form provided for the purpose, and must appear before the board for approval of his application. The application shall state that the applicant is a citizen of the United States, of good moral character, and holds a high school diploma or its equivalent. Said application must be accompanied by a fee of five dollars. When the board is satisfied as to his qualifications, it shall issue a certificate of embalmer apprenticeship. Such apprenticeship shall be served in the establishment of a registered funeral director, on a full-time employment basis. When such apprentice enters the employ of a person so registered, he shall immediately notify the member of the board in his district of the name and place of business of the person whose service he has entered. If such apprentice thereafter leaves the employ of such person whose service he has entered, it shall be the duty of said person to give such apprentice an affidavit showing the length of time he has served with him, which affidavit shall be filed with the board. The number of apprentice embalmers allowed to be registered under any one registered embalmer or funeral director shall be determined by the board on the basis of one apprentice embalmer for each fifty cases or any part thereof that the registered embalmer or funeral director had cared for professionally in the previous calendar year. No person shall be employed as an apprentice except in accordance with the foregoing provisions.

Apprentice
embalmer.

Application,
certificate,
number of,
etc.

No apprentice shall advertise or publish in any manner the fact of his registration, nor shall any embalmer or funeral director advertise or publish in any manner whatsoever the name or names of apprentices or any person associated with him in the practice of embalming or funeral directing unless the said person or persons are registered and licensed funeral directors.

Professional
advertising,
regulated.

The profession of funeral directing shall be conducted or practiced at a fixed place or establishment, and no person, partnership, corporation, association or other organization shall open or maintain a place or establishment at which to practice such profession unless an establishment certificate has been granted by said board. Such certificate shall be for one location only; provided, that this shall not prevent a registered funeral director from conducting a funeral in another licensed establishment, nor from a church, nor from a private residence from which funeral services are not regularly conducted, a public lodge or hall room, providing such person maintains a fixed place or establishment of his own conforming to the above requirements. The board

Establishment
certificate
for conduct
of business,
required.

Application,
requirements,
fee, etc.

shall issue a certificate for said establishment after application has been made on a form provided for the purpose, and when the same meets the requirements set forth in the rules and regulations of the board and established by the rules and regulations of the department of public health and local boards of health. Said application shall be accompanied by a fee of two dollars.

No establishment or branch thereof for the preparation, disposition and care of dead human bodies shall be opened or maintained unless duly registered by the board. No establishment or branch shall be moved without obtaining a new certificate from the board. Applications for such transfers shall be made upon blanks furnished by the board and shall be accompanied by a fee of five dollars. An establishment's certificate shall remain in force indefinitely unless revoked by the board or until there has been a change in the ownership of the establishment, which shall automatically cancel said certificate.

Renewal
certificates.

Section 84. No certificate, except an establishment certificate, shall be issued or renewed for a period exceeding one year, and all renewals thereof, except embalmer apprentice certificates which shall be issued on an annual basis, shall expire and terminate the first day of November following the date of their issue, unless sooner revoked and cancelled.

Any person holding a registration certificate issued under the provisions of section eighty-three may have the same renewed by making and filing with the board an application therefor within thirty days preceding the expiration of his certificate upon blanks provided by said board, and upon payment of renewal fees of five dollars for each embalmer's certificate, ten dollars for each funeral director's certificate, and five dollars for each apprentice embalmer's certificate; provided, that any person neglecting or failing to have his embalmer's or funeral director's certificate so renewed, may have the same renewed by making application therefor during the twenty days following the expiration date, and upon the payment of a revival fee of ten dollars in addition to the renewal fee.

If no application for renewal or for revival of a funeral director's or embalmer's certificate is made within said twenty days, the holder thereof may within one year of the original date of expiration of the certificate apply for renewal of the same upon the payment to the board of a penalty at the rate of one dollar each week beyond the date of said twenty-day revival period. If at the expiration of one year no application for renewal has been made, the board will remove the former registrant's name from its books. If such former registrant, after the expiration of the one year, applies for registration, he shall be subject to payment of the accrued penalties, and shall be required to meet the provisions of section eighty-three relative to original registration.

The board may refuse to issue or to renew, or may sus-

pend or revoke any certificate, or may place the holder thereof on a term of probation after due public hearing upon finding the holder of such certificate to be guilty of a crime involving moral turpitude, or of unprofessional conduct, which is hereby defined to include (a) misrepresentation or fraud in the conduct of the profession of the registrant; (b) false or misleading or "bait" advertising, so called, as a funeral director advertising or using the name of an unregistered person in connection with that of any funeral establishment, or the advertising of price in any form outside the licensed establishment; (c) soliciting for dead human bodies by the registrant, his agents, assistants or employees, or any person acting on his behalf with his knowledge and consent, express or implied, whether such soliciting occurs after death or while death is impending; provided, that this shall not be deemed to prohibit general advertising; (d) employment by a registered person of persons known as cappers, or steerers or solicitors, or other such persons to obtain funeral directing or embalming; (e) gross immorality; (f) the aiding or abetting of an unregistered person to practice funeral directing or embalming; (g) the use of profane, indecent or obscene language in the presence of a dead human body, or within the immediate hearing of the family or relatives of a deceased, whose body has not yet been interred or otherwise disposed of; (h) solicitation or acceptance by a registered person of any commission or bonus or rebate in consideration of recommending or causing a dead human body to be disposed of in any crematory, mausoleum or cemetery; (i) the holding or keeping for resale of any casket or part of a casket which has previously been used as a receptacle for, or in connection with, the burial or other disposition of a dead human body; (j) violation of any of the provisions of sections eighty-three to eighty-seven, inclusive, or any rule or rules of the board; (k) violation of any state or municipal law or ordinance affecting the handling, custody, care or transportation of dead human bodies; (l) fraud or misrepresentation in obtaining a certificate; (m) the recommending to the board of an applicant for a certificate who has not, to his personal knowledge, complied with the requirements of sections eighty-three to eighty-seven, inclusive, or with the rules and regulations of the board; (n) the refusal to surrender promptly the custody of a dead human body, upon the express order of the person lawfully entitled thereto; and (o) failure to secure a permit for the removal or burial of a dead human body prior to interment or disposal.

Unprofessional
conduct,
defined.

Section 84A. Whenever the board shall have reason to believe that any person or establishment to whom a certificate has been issued to practice or operate under section eighty-three, as the case may be, has violated any of the provisions of sections eighty-three to eighty-seven, inclusive, or any rule or regulation prescribed, or whenever written complaint, charging any registered person with the violation of any provision of the said sections is filed with

Complaints to
be investigated.

Public hearing,
etc.

Suspension,
revocation or
cancellation of
certificates,
regulated.

Petition in
district court
upon adverse
decision of
board.

Powers and
duties of
board.

the board, it shall conduct an investigation, and if from such investigation it shall appear that there is reasonable ground for belief that the accused may have been guilty of the violations charged, the board shall set a time and place for a public hearing to determine whether or not the certificate shall be revoked or suspended. Any member of the board shall have the right to administer oaths to witnesses.

No action to suspend, revoke or cancel any certificate shall be taken by the board until the accused or his counsel has been furnished with a statement of the charges against him, or it, and a notice of the time and place of hearing thereof; the furnishing of the charges and such notice to be given said accused at least fifteen days prior to the date of hearing. The accused may be represented at such hearing by counsel. If upon such hearing the board finds the charges to be true, it may revoke or suspend the certificate of the accused.

Any person or establishment aggrieved by the decision of the board to revoke or suspend his or its certificate may, within ten days after such action, bring a petition in the district court within the judicial district of which he resides, hereinafter called the court addressed to the justice of the court, praying that the action of the board may be reviewed by the court. The bringing of such a petition within such period shall operate to continue the registration in full force and effect pending the decision of the court. After such notice to the board as the court deems necessary, it shall review such action, hear the witnesses, and shall affirm the decision of the board unless it shall appear that it was made without proper cause or in bad faith, in which case the decision of the board shall be reversed. The court shall hear such petition within thirty days after the bringing thereof. The appeal from the decision of the board provided by this section is in the alternative to that provided by section sixty-four, and a decision of the court upon a petition brought under this section shall be final and conclusive.

Section 85. The board is authorized to adopt and promulgate such rules and regulations for the transaction of its business and the betterment and promotion of the standards of service and practice to be followed in the profession of embalming and funeral directing, as it may deem expedient and consistent with the laws of the commonwealth; to employ inspectors who shall investigate and report to the board the results of their investigations; to employ such other employees as the work of the board may require; to keep a record in which shall be registered the name and business address of every person and establishment to whom certificates have been granted under section eighty-three, the number and date of such certificate, and the date of each renewal thereof; to inspect the premises in which funeral directing is conducted or where embalming is practiced or where an applicant proposes to practice; to adopt such rules, regulations and classifications as may be reason-

able and proper; to define what shall be deemed the proper construction, drainage and ventilation, and what instruments are necessary and suitable in a preparation room and in a funeral establishment. Said board shall be responsible for the enforcement of the provisions of sections eighty-three to eighty-seven, inclusive. The board shall hold examinations for applicants for registration at such times and places and in such manner as it shall determine. The board shall keep a record of all moneys received and disbursed by it, and a duplicate thereof shall always be open to public inspection in the office of the state secretary. It shall make an annual report showing the condition of embalming and of funeral directing in the commonwealth. It shall investigate all complaints of violations of the provisions of sections eighty-three to eighty-seven, inclusive, and, if necessary, bring such violations to the notice of the proper prosecuting officers. A certified list of all funeral directors registered by the board shall be sent by the board, annually before May 1, to the board of health of the several cities and towns of the commonwealth.

Section 86. Every holder of a certificate of registration in embalming, every holder of a certificate of registration in funeral directing, and every holder of an establishment certificate shall conspicuously display it in his place of business.

Certificate to be conspicuously displayed.

Section 87. Whoever, not being registered as an embalmer under section eighty-three or corresponding provisions of earlier laws, shall engage in the profession of embalming dead human bodies, or whoever not being registered as a funeral director under section eighty-three and licensed as a funeral director under section forty-nine of chapter one hundred and fourteen shall engage in the business or profession of funeral directing, or shall hold himself out as such, shall, except as otherwise provided by law, be punished by a fine of not more than one hundred dollars or by imprisonment for not more than two months, or both; but this shall not be deemed to prohibit the employment of apprentice embalmers serving under the personal supervision of a registered embalmer, or the employment of assistants in funeral directing under the personal supervision of a registered and licensed funeral director, nor shall it be deemed to prohibit a corporation or partnership, if not engaged in any other business, from engaging in the business of funeral directing, if a duly registered and licensed funeral director is in charge of the business of said corporation or partnership and his name is presented to public view and in all advertising. If such corporation or partnership engages in general advertising for the purpose of advertising funeral services, then all the individuals whose names shall appear on such advertisement shall also be duly registered and licensed funeral directors, and all active members of said corporation or partnership, together with those individuals whose names shall appear, or be used in connection with the name of the corpo-

Penalty for persons not registered engaging in embalming, etc.

Certain professional advertising, regulated.

ration or partnership in the regular course of its business in the conduct of funerals and for the purpose of advertising funeral services, shall also be duly registered and licensed funeral directors. No person engaged in embalming or funeral directing or serving as an apprentice shall act or be employed as a caretaker or supervisor at any cemetery.

Certain persons engaged in business to be issued certificates without examination, etc.

SECTION 3. Any person who on the effective date of this act is a registered embalmer and engaged in the active practice of embalming in the commonwealth, shall upon application within one year after said effective date be issued a certificate of registration as an embalmer, without examination and without complying with the other provisions of section eighty-three of chapter one hundred and twelve of the General Laws, as amended by section two of this act relative to original registration.

Any person who on the effective date of this act is a registered funeral director shall upon application within one year after said effective date be issued a certificate of registration as a funeral director, without examination and without complying with the other provisions of said section eighty-three as so amended, relative to original registration; provided, however, that this section shall not confer any rights upon a funeral director to do embalming unless he has first qualified as an embalmer.

Any person who on the effective date of this act is a registered apprentice shall be deemed to be a registered apprentice under said section eighty-three as so amended, without further qualifications, and shall be registered as an embalmer or funeral director within five years of said effective date upon the same qualifications and in the same manner as provided by laws, rules and regulations in effect at the time he first registered as an apprentice.

Any person who on the effective date of this act is a student in an embalming or funeral directing school approved by the board of registration in embalming and funeral directing shall be registered at any time within five years after said effective date upon the same qualifications and in the same manner as provided by law, rules and regulations in effect at the time of his entrance into said school.

Any person who on the effective date of this act is in the armed forces of the United States shall be registered at any time within five years after said effective date upon the same qualifications and in the same manner as provided by law, rules and regulations in effect at the time of his entrance into the armed forces of the United States.

Any person who, on the effective date of this act, maintains a funeral directing establishment may, within ninety days of said effective date, make application to the board of registration in embalming and funeral directing for an establishment certificate, notwithstanding the provisions of section eighty-three of chapter one hundred and twelve of the General Laws, as amended by section two of this act.

SECTION 4. The two additional members of the board of

Terms of certain

registration in embalming and funeral directing, authorized by section twenty-nine of chapter thirteen of the General Laws, as amended by section one of this act, shall be appointed by the governor, with the advice and consent of the council, for terms of five years and four years, respectively.

members of board.

Appointment, etc.

SECTION 5. The board of registration in embalming and funeral directing shall issue a permit for the continuance, under the active supervision of a person registered as a funeral director, of the business and establishment certificate of a funeral director registered by such board who has died, for the benefit of the estate or persons interested in the estate of the decedent, during such period of time and in such manner and under such conditions as the board may determine.

Permit to continue business upon death of certificate holder.

SECTION 6. If any provision of this act or any rule or regulation made thereunder, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, the remainder of this act or of such rule or regulation, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Severability provision.

SECTION 7. This act shall take effect on the first day of October, nineteen hundred and fifty-four.

Effective date.

Approved June 10, 1954.

AN ACT REQUIRING THE ATTORNEY GENERAL ANNUALLY TO FURNISH LAW ENFORCEMENT OFFICIALS WITH COPIES AND SUMMARIES OF THE NEWLY ENACTED LAWS WHICH THEY ARE REQUIRED TO ENFORCE.

Chap. 654

Be it enacted, etc., as follows:

Section 6A of chapter 12 of the General Laws, inserted by chapter 238 of the acts of 1947, is hereby amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 12, § 6A, etc., amended.

He shall, as soon as convenient after the end of each legislative session, notify the sheriffs of the several counties and the chiefs of police of the several cities and towns of all laws enacted during such session which it is their duty to enforce. Such notice shall include a list by chapter number and title of each law so enacted.

Duties of the attorney general.

Approved June 10, 1954.

AN ACT REQUIRING AN EMPLOYER TO FURNISH AN EMPLOYEE WITH A WAGE REPORT.

Chap. 655

Be it enacted, etc., as follows:

Chapter 151A of the General Laws is hereby amended by inserting after section 45 the following section: — *Section 45A.* (a) Whenever an employee is laid off or separated from employment, the employer shall furnish such employee an itemized monthly record of any wages earned while in the employment of the employer from the first day of the five most recently completed quarters up to and including the last day of such employment; provided, however, that if such employer had previously submitted such a statement

G. L. (Ter. Ed.), 151A, new § 45A, added.

Furnishing of wage reports to employees, required.

to his employee, the succeeding statement shall be for the period subsequent to that already submitted.

(b) The wage record required under this section shall be furnished to the employee not later than seven days after such separation from employment.

(c) The director may assess and collect a penalty of five dollars a day from any employer for the period for which the employer fails to furnish the wage record as required by this section.

Approved June 10, 1954.

Chap.656 AN ACT RELATIVE TO THE WITHDRAWAL OF ADDITIONAL DEDUCTIONS PAID INTO THE ANNUITY SAVINGS FUND OF CONTRIBUTORY RETIREMENT SYSTEMS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 32, § 22, etc., amended.

SECTION 1. Paragraph (g) of subdivision (1) of section 22 of chapter 32 of the General Laws is hereby amended by striking out the last sentence, as appearing in section 1 of chapter 658 of the acts of 1945, and inserting in place thereof the following sentence: — The board shall permit a reduction, suspension or termination of such additional deductions if such member shall so request in writing.

Withdrawals from contributory retirement systems, regulated.

Same subject.

SECTION 2. Withdrawal of additional deductions under paragraph (g) of subdivision (1) of section twenty-two of chapter thirty-two of the General Laws, as amended by section one, shall be made upon written application to the board made prior to January first, nineteen hundred and fifty-five.

Approved June 10, 1954.

Chap.657 AN ACT SIMPLIFYING THE DEDUCTION FOR DEPENDENTS ALLOWED FOR INCOME TAX PURPOSES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 62, § 6, etc., amended.

SECTION 1. Section 6 of chapter 62 of the General Laws is hereby amended by striking out subsection (h), as amended by section 1 of chapter 251 of the acts of 1954, and inserting in place thereof the following subsection: —

Deduction for dependents under income tax law, regulated.

(h) The sum of five hundred dollars for a husband or wife with whom the taxpayer was living during the preceding calendar year and whose income from all sources did not exceed two thousand dollars during said preceding calendar year and, if entirely dependent upon the taxpayer for support, the sum of four hundred dollars for each parent, for each child, stepchild or foster child under the age of eighteen who was living with the taxpayer during the preceding calendar year, and for each child, stepchild or foster child eighteen years of age or over incapable of self-support because of physical or mental disability. The aforesaid deduction for each child, stepchild or foster child shall not be allowed to both husband and wife, but may be allowed to either as they shall mutually agree, or shall be prorated be-

tween them in proportion to the net income of each in excess of two thousand dollars.

For the purpose of this subsection a parent, child, step-child or foster child shall be considered to be entirely dependent upon the taxpayer for support if the taxpayer furnishes the majority of the support of such dependent.

SECTION 2. This act shall take effect on January first, nineteen hundred and fifty-five, and shall apply to income tax returns reporting income of the calendar year nineteen hundred and fifty-four, and thereafter.

Effective date.

Application thereof.

Approved June 10, 1954.

AN ACT RELATIVE TO SICK LEAVE FOR CERTAIN EMPLOYEES IN PUBLIC SCHOOLS WHO ARE EXCLUDED OR REMOVED FROM EMPLOYMENT ON ACCOUNT OF TUBERCULOSIS IN A COMMUNICABLE FORM.

Chap. 658

Be it enacted, etc., as follows:

Section 55B of chapter 71 of the General Laws is hereby amended by striking out the eighth sentence, as appearing in chapter 469 of the acts of 1952, and inserting in place thereof the following sentence:— Any teacher, other than a teacher in the public schools, or any other employee excluded or removed from employment on account of tuberculosis in a communicable form shall be carried on sick leave with pay for such period as he may be entitled to under the regulations of the school committee or other school officers; and any teacher in a public school, or other employee therein whose duties bring him into direct contact with any student thereat, shall, if excluded or removed from employment on account of tuberculosis in a communicable form be carried on sick leave with pay for the entire period of such exclusion or removal, but in no case for more than two years, and for such further additional period as he may be entitled to under the regulations of the school committee or other school officers.

G. L. (Ter. Ed.), 71, § 55B, etc., amended.

Sick leave for certain teachers, authorized.

Approved June 10, 1954.

AN ACT DESIGNATING A CERTAIN STREET IN SOMERVILLE AS A. ALFRED LOMBARDI STREET.

Chap. 659

Be it enacted, etc., as follows:

The new street which runs between Mystic avenue and Broadway in the city of Somerville, at the northerly end of the David M. Cleary Memorial Overpass, shall be known and designated as A. Alfred Lombardi Street, and suitable markers bearing said designation shall be erected thereon by the state department of public works.

Approved June 10, 1954.

Chap.660 AN ACT PROVIDING THAT CERTAIN TOWN MEETING VOTES SHALL BE SUBJECT TO A REFERENDUM IN THE TOWN OF HOPKINTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 454 of the acts of 1943 is hereby amended by striking out section 2 and inserting in place thereof the following section:— *Section 2.* Any vote, except a vote to adjourn or authorizing the borrowing of money in anticipation of the receipt of taxes for the current year, passed at any town meeting, shall not be operative until the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within said five days, a petition, signed by not less than ten per cent of the registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen asking that the question or questions involved in such a vote be submitted to the registered voters of the town, then the selectmen, after the expiration of five days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters the question or questions so involved. The polls shall be opened at twelve o'clock noon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any questions so submitted shall be taken by ballot, and the check list used in the same manner as in the election of town officers. The question or questions shall be determined by a majority vote of the registered voters of the town voting thereon. If such petition is not filed within said period of five days, the vote in the town meeting shall become operative and effective at the expiration of said period.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of said town voting thereon at an annual or special town meeting.

Approved June 10, 1954.

Chap.661 AN ACT PROVIDING FOR THE OBSERVANCE OF NOVEMBER ELEVENTH AS VETERANS DAY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 6, § 12A, amended.

November eleventh to be observed as Veterans Day.

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 12A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 12A.* The governor shall annually issue a proclamation calling for a proper observance of November eleventh as Veterans Day, in lasting recognition of the service and sacrifice of those sons and daughters of Massachusetts who served in the armed forces of the United States in time of war or insurrection.

Same subject.

SECTION 2. Wherever in any general or special law the term Armistice Day appears as applied to November eleventh it shall be taken to mean Veterans Day.

Approved June 10, 1954.

AN ACT PROVIDING FOR THE BORROWING OF FUNDS FOR THE
CONSTRUCTION BY THE DEPARTMENT OF PUBLIC WORKS OF
AN INLET INTO EEL POND IN THE TOWN OF MATTAPOISETT. *Chap.662*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of contributing its share of the cost of the construction by the department of public works of a channel or inlet into Eel pond in the town of Mattapoisett, said town may borrow outside its limit of indebtedness such sum, not exceeding in the aggregate, forty-four thousand dollars, as may be necessary, and may issue bonds or notes therefor, which shall be payable in not more than ten years, and such indebtedness shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven.

SECTION 2. This act shall take effect upon its passage.

Approved June 10, 1954.

AN ACT RELATIVE TO THE SALARY OF CERTAIN JUDGES OF
PROBATE. *Chap.663*

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one A of chapter seven hundred and forty-five of the acts of nineteen hundred and fifty-one, any judge of probate who was appointed to said office between the first day of September, nineteen hundred and fifty-one, and the thirty-first day of December, nineteen hundred and fifty-three, both dates inclusive, shall receive such salary as is provided by section thirty-four of chapter two hundred and seventeen of the General Laws, as amended by section one of said chapter seven hundred and forty-five of the acts of nineteen hundred and fifty-one.

SECTION 2. The provisions of this act are hereby declared to be severable, and if any such provision, or the application of any such provision to any person or circumstance shall be held to be unconstitutional, such unconstitutionality shall not be construed to affect the constitutionality of any of the remaining provisions of this act, or the application of such provision to persons or circumstances other than those to which it is so held unconstitutional.

SECTION 3. This act shall take effect as of January first, nineteen hundred and fifty-four. *Approved June 10, 1954.*

AN ACT FURTHER DEFINING FROZEN DESSERTS AND ICE
CREAM MIX. *Chap.664*

Be it enacted, etc., as follows:

SECTION 1. Section 65G of chapter 94 of the General Laws is hereby amended by striking out the paragraph defining "Stabilizer", as appearing in section 1 of chapter

G. L. (Ter.
Ed.), 94,
§ 65G, etc.,
amended.

373 of the acts of 1934, and inserting in place thereof the following paragraph:—

"Stabilizer",
defined.

"Stabilizer", any non-toxic nutritive stabilizing or emulsifying agent approved by the department and used singly or in combination.

G. L. (Ter.
Ed.), 94,
§ 65G, etc.,
further
amended.
"Sugar",
defined.

SECTION 2. Said section 65G of said chapter 94, as so appearing, is hereby further amended by adding at the end the following paragraph:—

"Sugar", sucrose, dextrose, invert sugar (syrup or paste), corn syrup, corn syrup solids, maple syrup, maple sugar, honey and brown sugar.

Approved June 10, 1954.

Chap.665 AN ACT RELATIVE TO THE REDIVISION OF CITIES OF THE COMMONWEALTH INTO WARDS.

Be it enacted, etc., as follows:

There shall be no new division into wards of the cities of the commonwealth under the provisions of section one of chapter fifty-four of the General Laws in the year nineteen hundred and fifty-four.

Approved June 10, 1954.

Chap.666 AN ACT MAKING A SUPPLEMENTAL APPROPRIATION FOR BERKSHIRE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The following sum is hereby appropriated for the county of Berkshire for the current year, in addition to the sum appropriated by section one of chapter six hundred and three of the acts of the current year:—

Item

26. For miscellaneous and contingent expenses \$5,400 00

This sum shall be added to the amount to be levied as the county tax for said county for the current year, as provided by section one of said chapter six hundred and three.

SECTION 2. This act shall take effect upon its passage.

Approved June 10, 1954.

Chap.667 AN ACT TO PROVIDE FOR THE HOUSING OF ELDERLY PERSONS OF LOW INCOME.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately for the housing of elderly persons of low income, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 121,
§§ 26SS-26VV,
amended.

SECTION 1. Chapter 121 of the General Laws is hereby amended by striking out sections 26SS, 26TT, 26UU and 26VV, inserted by section 1 of chapter 668 of the acts of 1953, and inserting in place thereof the following four sections:— *Section 26SS.* It is hereby declared that sub-

Declaration
of policy.

standard and decadent areas exist in certain portions of the commonwealth and that there is not, in certain parts of the commonwealth, an adequate supply of decent, safe and sanitary housing for elderly persons of low income, available for rents which such persons can afford to pay, and the rents which such persons can afford to pay would not warrant private enterprise in providing housing for such persons; that this situation tends to cause an increase and spread of communicable and chronic disease; that the lack of properly constructed dwelling units designed specifically to meet the needs of elderly persons aggravates those diseases peculiar to the elderly, thereby crowding the hospitals of the state with elderly persons under conditions of idleness that inevitably invite further senility; that this situation constitutes a menace to the health, safety, welfare and comfort of the inhabitants of the commonwealth and is detrimental to property values in the localities in which it exists; that this situation cannot readily be remedied by private enterprise; and that a public exigency exists which makes the provision of housing for elderly persons of low income and the clearance of substandard and decadent areas a public necessity; that the provision of housing for elderly persons of low income for the purpose of reducing the cost to the state of their care by promoting their health and welfare, thereby prolonging their productivity in the interest of the state and nation, and the clearance of substandard and decadent areas, or either, constitutes and hereby is declared to be a public use for which private property may be taken by eminent domain and public funds raised by taxation may be expended.

Section 26TT. The housing authority of each city or town, organized under section twenty-six K, shall have power to provide housing for elderly persons of low income either in separate projects or as a definite portion of projects undertaken under Part III or Part V of this chapter, or in remodeled or reconstructed existing buildings, and the provisions of Parts I, II, III and V of this chapter shall, so far as apt, be applicable to projects and parts of projects undertaken under this part, except as otherwise provided in section twenty-six UU or elsewhere in this chapter.

Housing for elderly persons of low income, authorized.

Section 26UU. The following provisions shall be applicable to housing for elderly persons of low income: —

Provisions applicable to such housing.

(a) There shall be no requirement that the occupants of such housing constitute families, and housing may be provided in separate dwelling units for elderly persons living alone or with such other persons who are either eligible under the provisions of sections twenty-six SS to twenty-six WW, or necessary to the physical welfare of the elderly occupant; provided, that such other necessary person is eligible for low-rent housing.

(b) Projects for such housing may and shall, when practicable, be established near the neighborhoods where the elderly persons reside.

(c) Housing for elderly persons of low income shall conform to standards established by the housing board after consultation with the department of public health, the department of public welfare and the board of standards, and shall be designed so as to alleviate the infirmities characteristic of the elderly.

(d) Projects or parts of projects shall be constructed for elderly persons of low income and shall be available and assigned to such persons without regard to their status as veterans upon the application of such elderly persons and the establishment of their eligibility under the provisions of sections twenty-six SS to twenty-six WW.

(e) Rents for dwelling units in projects or parts of projects constructed for elderly persons of low income shall be computed as provided in section twenty-six FF; provided, however, that in the case of persons receiving old age assistance under chapter one hundred and eighteen A directly or indirectly in whole or in part from the commonwealth, dwelling units in projects or parts of projects constructed under section twenty-six TT shall be deemed to be adequate housing for elderly persons and shall qualify for and rent at the maximum rental allowance under the old age assistance laws, regulations or policies.

State financial assistance for such housing projects, authorized.

Section 26VV. The commonwealth, acting by and through the state housing board, may enter into a contract or contracts with a housing authority for state financial assistance in the form of a guarantee by the commonwealth of bonds and notes, or either bonds or notes, of the housing authority issued to finance the cost of a project or projects or a part or parts of a project or projects to provide housing for elderly persons of low income. The amount of bonds and notes, or bonds or notes, guaranteed by the commonwealth under this section shall not exceed fifteen million dollars. Each contract for state financial assistance shall provide that the commonwealth will pay to the housing authority annual contributions; provided, however, that the total amount of annual contributions contracted for by the commonwealth for any one year shall not exceed three hundred and seventy-five thousand dollars. Each such annual contribution by the commonwealth shall be paid by the commonwealth upon approval and certification by the state housing board to the state comptroller. The provisions of section twenty-six NN and twenty-six OO shall, so far as apt, be applicable to contracts for state financial assistance under this section.

G. L. (Ter. Ed.), 121, § 26NN, etc., amended.

Administration of housing projects, regulated.

SECTION 2. The first paragraph of section 26NN of said chapter 121 is hereby amended by striking out the last sentence, as appearing in section 1 of chapter 507 of the acts of the current year, and inserting in place thereof the following sentence:— Each project developed under this section and section twenty-six OO shall be administered for occupancy in accordance with section twenty-six FF, except clause (c) and except that for each completed project the

authority shall create, beginning in the first year immediately succeeding its issuance of any bonds, a reserve for principal and interest equal to one twelfth of the largest principal and interest payments which will be due on such bonds in any one year thereafter and shall maintain such reserve and increase the same by a similar amount for each of the eleven succeeding years thereafter and maintain each such increase; provided, however, that in the event a project is refinanced, there shall be appropriate adjustments made in the reserves required by the foregoing provisions to reflect any changes in amounts of principal and interest payable to the end that twelve years after the date of the issuance of the original bonds, or as soon thereafter as may be practicable, there will have been created and thereafter maintained a reserve equal to the largest amount of principal and interest due in any subsequent year on account of the outstanding bonds issued to finance the project; and except that each such project shall be occupied, except as hereinafter provided, by veterans and their families, and priority shall be given first to veterans of World War II of low income and to veterans of low income who have served in the active military or naval service of the United States at any time on or after June twenty-seventh, nineteen hundred and fifty, and prior to such date thereafter as shall later be determined by the chairman; then to veterans of low income, such low income to be determined from time to time by the board; then to a person without regard to family status, who is a veteran or the widow or the widower of a veteran, and who is sixty years of age or over; but a housing authority may remodel or reconstruct parts or projects erected under this section to make the same available for occupancy by elderly persons qualifying for housing under the provisions of section twenty-six UU, and such remodeled or reconstructed apartments shall be available for occupancy by eligible elderly persons of low income only except to the extent that no eligible veterans apply for such units.

Priority for occupancy.

Approved June 10, 1954.

AN ACT AUTHORIZING JUSTICES OF DISTRICT COURTS TO SIT IN THE SUPERIOR COURT ON MOTOR VEHICLE TORT ACTIONS.

Chap. 668

Be it enacted, etc., as follows:

SECTION 1. Chapter 212 of the General Laws is hereby amended by striking out section 14B, inserted by section 1 of chapter 210 of the acts of 1949, and inserting in place thereof the following section: — *Section 14B.* A justice of a district court, except the municipal court of the city of Boston, shall, at the written request of the chief justice of the superior court, sit in the superior court at the trial or disposition with or without a jury in any part of the commonwealth of any motor vehicle tort action, or any violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any misdemeanor

G. L. (Ter. Ed.), 212, § 14B, etc., amended.

Sittings in superior court by certain district court justices, authorized.

except conspiracy or libel, and during the continuance of such request shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases; provided, that no justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has an interest; and provided, further, that no justice of a district court shall so sit in the superior court, as aforesaid, unless his name appears on a list submitted for the purposes of this section by the administrative committee of the district courts to the chief justice of the superior court.

Termination.

SECTION 2. This act shall not be operative after September first, nineteen hundred and fifty-six.

Approved June 10, 1954.

Chap.669 AN ACT FURTHER REGULATING ARRESTS WITHOUT WARRANT FOR CERTAIN INFRACTIONS OF THE MOTOR VEHICLE LAWS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 90, § 21, etc., amended.

Arrest without warrant in certain motor vehicle law cases, authorized.

Section 21 of chapter 90 of the General Laws, as amended by chapter 406 of the acts of 1936, is hereby further amended by inserting after the word "vehicles", in line 8, the words: — and any officer authorized to make arrests, provided such officer is in uniform or displaying his badge of office conspicuously on his outer coat or garment, may arrest without warrant any person, regardless of whether or not such person has in his possession a license to operate motor vehicles issued by the registrar, if such person upon any way or in any place to which the public has the right of access, operates a motor vehicle after his license or right to operate motor vehicles in this state has been suspended or revoked by the registrar, or whoever upon any way or place to which the public has the right of access operates a motor vehicle while under the influence of intoxicating liquor, or whoever uses a motor vehicle without authority knowing that such use is unauthorized, or any person who, while operating or in charge of a motor vehicle, shall refuse, when requested by such police officer, to give his name and address or the name and address of the owner of such motor vehicle, or who shall refuse on demand of such police officer, to produce his license to operate such vehicle or the certificate of registration for such vehicle for examination by such officer.

Approved June 10, 1954.

Chap.670 AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO ESTABLISH A PHYSICAL THERAPY DEPARTMENT AT THE MONSON STATE HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The department of mental health is hereby authorized and directed to establish, equip and maintain a physical therapy department at the Monson state hospital.

SECTION 2. For the purposes of this act the department of mental health may expend such sums as may be appropriated therefor.

Approved June 10, 1954.

AN ACT AUTHORIZING THE TOWN OF ROCHESTER TO ASSUME *Chap.671*
CONTROL OF CERTAIN CEMETERIES IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Rochester is hereby authorized to take possession and assume control of the following cemeteries in said town: — Ashley cemetery, Sherman cemetery, Union cemetery, sometimes called Rochester Burying Ground, and Old North Rochester cemetery located on Braley Hill road; provided, that nothing herein contained shall affect the individual vested rights of the present owners or proprietors of said cemeteries.

SECTION 2. The immediate care and management of said cemeteries shall be in the board of selectmen or board of cemetery commissioners, if any, which boards may receive and shall have charge of the expenditure of any appropriations made by said town for the care thereof, and any other funds or property acquired for the purposes of this act, subject to the provisions of any trust relative thereto and all rights heretofore existing in any burial lots or funds established for the care thereof.

SECTION 3. Insofar as authorized by a decree of a court of competent jurisdiction, and in compliance with the terms and conditions of such decree, said town upon its taking possession and assuming control of the cemeteries as provided in section one may receive from the cemetery corporations and associations or any of them all funds or other property held by the corporations and associations or any of them in trust for the perpetual care of the lots in said cemeteries and for other purposes, and also any property devised or bequeathed to the corporations and associations or any of them under the will of any person living at the time of said transfer or conveyance or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited in trust with any savings bank under authority of section thirty-seven or section thirty-eight of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of the corporations or associations or any of them, or of any lots in said cemeteries, may, after such conveyance, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purposes of said trusts.

Approved June 10, 1954.

Chap. 672 AN ACT RELATIVE TO THE CONTROL OF ATMOSPHERIC POLLUTION.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 25, §§ 12C, 12D, 12E, repealed.

SECTION 1. Sections twelve C, twelve D and twelve E of chapter twenty-five of the General Laws are hereby repealed, and the caption preceding section twelve C is hereby stricken out.

Division of smoke inspection.

SECTION 2. The division of smoke inspection in the department of public utilities, established by section twelve C of chapter twenty-five of the General Laws, as most recently amended by section eighteen of chapter five hundred and ninety-six of the acts of nineteen hundred and forty-one, is hereby transferred from the department of public utilities to the department of public health. All maps, charts, plans, records and property in the possession of the division of smoke inspection shall be transferred to the division of sanitary engineering in the department of public health. All employees of the division of smoke inspection in the department of public utilities who hold positions classified under chapter thirty-one of the General Laws or are subject to the provisions of section nine A of chapter thirty of the General Laws, are hereby transferred to the service of the department of public health without impairment of their civil service, retirement, seniority or other rights, and their term of office shall not be deemed to be interrupted within the meaning of said chapter thirty-one or said section nine A of chapter thirty notwithstanding any change in title or duties made as a result of such transfer; provided, that no such employee shall be lowered in rank or compensation.

G. L. (Ter. Ed.), 111, new § 142A, added.

Control of atmospheric pollution, regulated. Rules and regulations.

SECTION 3. Chapter 111 of the General Laws is hereby amended by inserting after section 142 the following section: — *Section 142A.* The department may from time to time, after notice to all persons interested and a public hearing, and subject to the approval of the governor and council, prescribe and establish minimum rules and regulations to prevent pollution or contamination of the atmosphere within the commonwealth. Said rules and regulations, after being so prescribed and established, shall have the force of law. The publication of any such rule or regulation made by the department under this section in a newspaper of the town where such rule or regulation is to take effect, or, if no newspaper is published in such town, the posting of a copy of such rule or regulation in a public place therein shall be legal notice to all persons; and an affidavit of such publication or posting by the person causing such notice to be published or posted, filed and recorded, with a copy of the notice, in the office of the town clerk of such town, shall be admitted as evidence of the time when, the place where and the manner in which the notice was given. Any municipality, corporation or person, which, after due notice, continues to violate any such rule or regulation shall be deemed guilty

of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten nor more than fifty dollars for the first offence, and not less than twenty nor more than one hundred dollars for every succeeding offence. The supreme judicial or superior court, upon the application of the department, or upon the application of any person interested, with the approval of the department, may enforce such rules and regulations, and restrain the use or occupation of the premises or such portion thereof as the department may specify until such rules and regulations have been complied with.

Penalty.

SECTION 4. Chapter 111 of the General Laws is hereby amended by inserting after section 31B the following section: — *Section 31C.* A board of health, or other legal authority constituted for such purpose by vote of the town or city council shall have jurisdiction to regulate and control atmospheric pollution, including, but not limited to, the emission of smoke, particulate matter, soot, cinders, ashes, toxic and radioactive substances, fumes, vapors, gases, industrial odors and dusts as may arise within its bounds and which constitutes a nuisance, a danger to the public health, or impair the public comfort and convenience.

G. L. (Ter. Ed.), 111, new § 31C, added.
Local jurisdiction to regulate and control atmospheric pollution, granted.

Said board of health or other legal authority, subject to the approval of the department of public health, may from time to time adopt and shall enforce reasonable rules and regulations for the control of atmospheric pollution. Before the board of health or other legal authority submits such rules and regulations to the department for approval, such board or other legal authority shall hold a public hearing thereon, of which notice shall be given by publication for one day in each of two successive weeks in a newspaper published in the town, the first publication to be at least fourteen days prior to the date of the hearing, or if no newspaper is published in such town, by posting a copy of such notice in a public place therein. Said rules and regulations, when approved by the department, and after publication in a newspaper published in the town, or, if no newspaper is published in such town, after posting a copy in a public place, shall have the force of law.

The department shall advise the board or other legal authority in all matters of atmospheric pollution. The department may, upon request of the board of health or other legal authority of a town adversely affected by atmospheric pollution arising in another town, after a hearing to all parties interested, assume joint jurisdiction to regulate or control such cause of atmospheric pollution and may exercise all powers of the local board of health or other legal authority under provisions of the General Laws or any special laws.

SECTION 5. On the effective date of this act, all unexpended and unallocated balances of funds made available to the division of smoke inspection under item 4311-01 of section two of chapter four hundred and fifty-three of the acts of nineteen hundred and fifty-four shall be available

Expenditure of certain sums.

Apportionment among certain cities and towns of salaries and expenses.

for the purposes of this act to the department of public health.

SECTION 6. The salaries of the director and all employees of the said division and the expenses incurred in the performance of its functions shall be apportioned annually by the state treasurer among the cities and towns comprising the district defined by chapter six hundred and fifty-one of the acts of nineteen hundred and ten, and acts in amendment thereof and in addition thereto, in proportion to their last annual taxable valuation, and the amount so apportioned shall be added to their proportion of the state tax.

G. L. (Ter. Ed.), 140, §§ 131D, 132, 133, 134, 135, 136, repealed.

SECTION 7. Sections one hundred and thirty-one D, one hundred and thirty-two, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, and one hundred and thirty-six of chapter one hundred and forty of the General Laws are hereby repealed. All references to the board or the department of public utilities in chapter six hundred and fifty-one of the acts of nineteen hundred and ten; chapter one hundred and eighty-eight of the acts of nineteen hundred and thirty-six; and chapter five hundred and forty-four of the acts of nineteen hundred and fifty shall apply to and the authority thereunder shall be exercised by the department of public health upon the passage of this act.

Approved June 10, 1954.

Chap.673 AN ACT LIBERALIZING THE PROVISION OF THE EMPLOYMENT SECURITY LAW RELATIVE TO THE PAYMENT OF PARTIAL BENEFITS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 151A, § 29, etc., amended.

Section 29 of chapter 151A of the General Laws, as amended, is hereby further amended by striking out paragraph (b), as amended by section 12 of chapter 763 of the acts of 1951, and inserting in place thereof the following paragraph:—

Payment of partial benefits under employment security law, regulated.

(b) An individual in partial unemployment and otherwise eligible for benefits shall be paid the difference between his aggregate remuneration with respect to each week of partial unemployment and the weekly benefit rate to which he would have been entitled if totally unemployed; provided, however, that the first ten dollars of earnings with respect to each week of partial unemployment shall be disregarded. Said partial benefits shall be raised to the next highest dollar if it includes a fractional part of a dollar.

Approved June 10, 1954.

Chap.674 AN ACT REORGANIZING THE DEPARTMENT OF AGRICULTURE.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the immediate reorganization of the department of agriculture, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 20 of the General Laws is hereby amended by striking out sections 1 to 6, inclusive, and inserting in place thereof the following six sections: — *Section 1.* There shall be a department of agriculture under the supervision and control of a board of agriculture, hereinafter called the board, consisting of seven members each of whom shall be from a different county, to be appointed by the governor, with the advice and consent of the council. At least four members of the board shall be farmers whose principal vocation is the production of food or fibre. Upon the expiration of the term of office of a member of the board his successor shall be appointed by the governor, with the advice and consent of the council, for seven years, but no member who has served for five years or longer shall be eligible for reappointment. The board shall meet not less than four times a year at the call of the chairman or any three members. The chairman shall be chosen by a majority of the members of the board present and voting thereon at the first meeting in each calendar year, and shall serve until his successor is chosen. The governor, with the advice and consent of the council, shall appoint a commissioner from a panel of not less than three names submitted by the board. Said commissioner shall serve for a term of four years and shall have charge of the administration of the department. The department may expend for the traveling expenses of its members and employees incurred in the performance of their official duties and for other necessary expenses of the department such sums as may be annually appropriated.

G. L. (Ter. Ed.), 20, §§ 1-6, amended.
Department of agriculture, reorganized.

Section 2. Upon the expiration of the term of office of a commissioner, his successor shall be appointed by the governor as provided in section one. The commissioner shall receive such salary, not exceeding nine thousand dollars, as the governor and council may determine, and traveling expenses incurred in his official duties.

Commissioner, appointment, salary, etc.

Section 3. The commissioner shall be the executive and administrative head of the department and shall have charge of the administration and enforcement of all laws which it is the duty of the department to administer and enforce, and shall direct all inspections and investigations.

Powers and duties of commissioner.

Section 4. The governor, with the advice and consent of the council, shall appoint an assistant commissioner from a panel of not less than three names submitted by the board and the commissioner shall assign to him from time to time such duties as he may determine.

Assistant commissioner.

Section 5. The assistant commissioner shall receive such salary not exceeding seventy-five hundred dollars, as the governor and council may determine, and traveling expenses incurred in the performance of his official duties.

Salary and expenses.

Section 6. The commissioner shall organize the department into divisions, including a division of dairying and

Organization.

animal husbandry, a division of livestock disease control, a division of plant pest control and fairs, a division of markets, and such other divisions as he may from time to time determine, and shall assign to said divisions their functions. The commissioner shall, with the approval of the board of agriculture, appoint a director of each division to have charge of the work of the division, and he may, with like approval, remove such director at any time. The compensation of directors shall be fixed by the commissioner with the approval of the governor and council. The commissioner, with the approval of the board, shall appoint such scientific experts as the work of the department may require, and may assign them to divisions, transfer and, with like approval, remove them, and the provisions of chapter thirty-one shall not apply. He shall, subject to the provisions of said chapter thirty-one, appoint inspectors, investigators, clerks and other assistants as he may deem necessary.

Directors
and other
employees.

G. L. (Ter.
Ed.), 20, § 7,
etc., amended.

SECTION 2. Section 7 of said chapter 20 is hereby amended by striking out, in line 2, as appearing in section 1 of chapter 604 of the acts of 1953, the word "four" and inserting in place thereof the word: — six.

Proviso.

SECTION 3. Nothing in this act shall interfere with the completion of the term of office of the commissioner of agriculture in office on the effective date of this act.

Terms of
members of
board of
agriculture.

SECTION 4. Of the initial appointments made by the governor to the board of agriculture, one member shall serve for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years and one for a term of seven years.

Transfer of
books, records,
etc.

SECTION 5. Upon the effective date of this act all books, papers and records of the advisory board of agriculture, existing prior to the said date, shall be turned over to the board of agriculture established by section one of chapter twenty of the General Laws, as appearing in section one of this act. Notwithstanding the provisions of section six of said chapter twenty, as so appearing, all persons employed by the department of agriculture, as existing prior to said effective date, shall on said effective date be transferred to and be employees of the department of agriculture, as reorganized by section one of this act, without any impairment of civil service, retirement, seniority or other rights.

Rights of
personnel not
to be impaired.

Approved June 10, 1954.

Chap. 675 AN ACT EXTENDING CERTAIN POWERS TO THE METROPOLITAN DISTRICT COMMISSION.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to extend immediately certain powers to the metropolitan district commission, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized to lease, upon such terms and conditions as it shall deem adequate, and for purposes consistent with the zoning by-laws of the towns in which the land lies, the land of the commonwealth of Massachusetts under its control, however acquired, situated within the Neponset River Reservation in the towns of Dedham, Canton and Westwood, which it may determine is no longer required for park or reservation purposes, and generally described as follows: —

Certain leases
of land
authorized.

Parcel One. — The land in Westwood and Dedham, bounded: southwesterly 414 feet by Greenlodge street now known as Route 128; westerly 54 feet and southeasterly 67 feet by land of owners unknown; southwesterly 281 feet by said Route 128; westerly 472 feet, southerly 125 feet, westerly 1,539.47 feet, northwesterly 2,058.07 feet, northeasterly 534.08 feet, northwesterly 1,554.40 feet, and northwesterly 1,483.60 feet by land of owners unknown; and, southeasterly 6,500 feet by the location of the New York, New Haven and Hartford Railroad; all of said distances being approximate.

Parcel Two. — The land in Dedham, Canton and Westwood, bounded: southwesterly 1,020 feet by Route 128; northwesterly 6,231 feet by the location of the New York, New Haven and Hartford Railroad; northwesterly by a curved line 485 feet by land of owners unknown; northeasterly 604 feet by other land of the commonwealth of Massachusetts; and southeasterly 6,735 feet by other land of the commonwealth of Massachusetts; all of said distances being approximate; provided, that the land described as Parcel Two shall not be developed until a report thereon has been filed by the joint board authorized under the provisions of chapter eighty-two of the resolves of nineteen hundred and fifty-four.

SECTION 2. Any lease hereby authorized shall contain provisions requiring the lessee to pay taxes, as provided in section three A of chapter fifty-nine of the General Laws.

SECTION 3. No lease shall be executed until after August first, nineteen hundred and fifty-four, except for the construction of a parcel post facility.

SECTION 4. A strip of land three hundred feet wide and approximately two thousand feet long shall be retained by the metropolitan district commission in the northwest corner of that portion of the reservation lying in the town of Dedham, so as to insulate the Manor residential section of that town from the proposed industrial area. The metropolitan district commission may use not more than one tenth of the proceeds from the lease or leases herein authorized for the purpose of improving this reserved strip as park and recreation land. The strip shall be named Hemenway Park, in memory of the donor.

SECTION 5. The proceeds from any such lease or leases shall be deposited in the Metropolitan Parks Trust Fund

established under the provisions of section thirty-four of chapter ninety-two of the General Laws.

No lease shall be made under the authority of this act without a prior public hearing held in the town of Dedham, notice of which, containing a brief description of that parcel of land in each instance to be leased, shall be published, at least once not less than seven days before the date set for the hearing, in a newspaper which by its title page purports to be printed or published in a town where a part or all of the land lies. At said hearing a draft containing the essential features of the proposed lease shall be available for public inspection.

SECTION 6. The remaining portion of the Neponset River Reservation shall not be sold, conveyed, or leased without approval by the general court. *Approved June 10, 1954.*

Chap. 676 AN ACT FURTHER DEFINING THE CONDITIONS OF THE SALE OF STATE-AIDED PROJECTS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make certain definitions of conditions of sale of state-aided projects effective forthwith, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 121,
§ 26NN, etc.,
amended.

Sale of state-
aided housing
projects,
regulated.

The third paragraph of section 26NN of chapter 121 of the General Laws, as appearing in section 3 of chapter 200 of the acts of 1948, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — After March thirty-first, nineteen hundred and fifty-three, or such later date as the board shall determine that an acute shortage of housing for veterans constituting a public exigency, emergency or distress no longer exists in a particular city or town, any project constructed under this section and receiving state financial assistance may, with the approval of the board, be sold for the amount of the fair market value thereof as determined by the board, but not less than the total of the outstanding obligations of the housing authority with respect to such project.

Approved June 10, 1954.

Chap. 677 AN ACT ENABLING CITIES AND TOWNS TO PARTICIPATE IN THE UNITED STATES EDUCATIONAL EXCHANGE PROGRAM.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow any city or town to participate forthwith in the United States educational exchange program, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 264 of the General Laws is hereby amended by inserting after section 14 the following section: — *Section 14A.* Any city or town of the commonwealth may, through its school committee, participate in the educational activities under the United States Educational Program conducted by the department of state pursuant to Public Law 584, 79th Congress, and Public Law 402, 80th Congress, whereby there is an interchange of teaching positions between a teacher of such city or town and a teacher from abroad under an arrangement or agreement which provides that each teacher shall continue to receive his salary from his own school. The salary may be paid by such city or town notwithstanding that the teacher to whom it is paid is not actually rendering service within the schools thereof. The exchange teacher from abroad shall not be required to take or subscribe to any oaths or pledge of allegiance which is inconsistent with his citizenship in a foreign country.

G. L. (Ter. Ed.), 264, new § 14A, added.
Participation by cities and towns in the United States educational exchange program, authorized.

Approved June 10, 1954.

AN ACT AUTHORIZING PAY-ROLL DEDUCTIONS ON ACCOUNT OF UNION DUES OR DUES TO THE MASSACHUSETTS STATE EMPLOYEES ASSOCIATION IN THE CASE OF CERTAIN STATE, COUNTY OR MUNICIPAL EMPLOYEES.

Chap. 678

Be it enacted, etc., as follows:

Chapter 180 of the General Laws is hereby amended by striking out section 17A, inserted by section 1 of chapter 740 of the acts of 1950, and inserting in place thereof the following section: — *Section 17A.* Deductions on pay-roll schedules may be made from the salary of any state, county or municipal employee of any amount which such employee may specify in writing to any state, county or municipal officer, or the head of the state, county or municipal department, board or commission, by whom or which he is employed, for the payment of union dues to an association of state, county or municipal employees or dues to the Massachusetts State Employees Association. Any such authorization may be withdrawn by the employee by giving at least sixty days' notice in writing of such withdrawal to the state, county or municipal officer, or the head of the state, county or municipal department, board or commission, by whom or which he is then employed and by filing a copy thereof with the treasurer of the association.

G. L. (Ter. Ed.), 180, § 17A, etc., amended.

Pay-roll deductions for certain dues of public employees, authorized.

The state treasurer, the common paymaster as defined in section one hundred and thirty-three of chapter one hundred and seventy-five, or the treasurer of the county or municipality by which such employee is employed, shall deduct from the salary of such employee such amount of union dues or dues to the Massachusetts State Employees Association as may be certified to him on the pay-roll, and transmit the sum so deducted to the treasurer of said association;

provided, that the state treasurer, the state comptroller or the county or municipal treasurer, as the case may be, is satisfied by such evidence as he may require that the treasurer of such association has given to said association a bond, in a form approved by the commissioner, for the faithful performance of his duties, in a sum and with such surety or sureties as are satisfactory to the state treasurer or comptroller or county or municipal treasurer.

Approved June 10, 1954.

Chap. 679 AN ACT GRANTING INDIVIDUAL INCOME TAX RELIEF TO CERTAIN RECIPIENTS OF "UNEARNED INCOME".

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 62, § 1, amended.

SECTION 1. Section 1 of chapter 62 of the General Laws is hereby amended by striking out the first sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence: — On the amount by which the income of the classes described in subsections (a), (b), (c) and (e) received by any inhabitant of the commonwealth during the preceding calendar year exceeds the exemption claimed under subsection (h) there shall be levied, assessed and collected a tax at the rate of six per cent.

Rates of taxation in certain cases.

G. L. (Ter. Ed.), 62, § 1, further amended.

SECTION 2. Section 1 of said chapter 62 is hereby further amended by inserting after subsection (g) thereof the following subsection: —

Exemption from taxation in certain cases.

(h) The exemption which may be claimed against income described in the first sentence of this section shall be the excess of the exemption provided in subsection (f) of section five over the amount of the income from annuities.

G. L. (Ter. Ed.), 62, § 5, amended.

SECTION 3. Subsection (a) of section 5 of said chapter 62 is hereby amended by striking out the first sentence, as so appearing, and inserting in place thereof the following sentence: — (a) On the amount by which the income from annuities exceeds the exemption provided in subsection (f) of this section there shall be levied, assessed and collected a tax at the rate of one and one half per cent.

Rates.

G. L. (Ter. Ed.), 62, § 5, etc., amended.

SECTION 4. Subsection (b) of section 5 of said chapter 62 is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 486 of the acts of 1939, and inserting in place thereof the following three sentences: — The excess of the income derived from professions, employment, trade or business as defined in section six over the exemption provided in the second or third sentence of this subsection, whichever is applicable, shall be taxed at the rate of one and one half per cent per annum. In the case of a single person or a married person filing a separate return the exemption allowable under this subsection shall be two thousand dollars. In the case of a husband and wife filing a joint return the exemption allowable under this subsection shall be an amount equal to the sum of two thousand dollars and the income as defined in section six of the spouse having

Exemptions.

the smaller such income but in no event shall the exemption exceed four thousand dollars.

SECTION 5. Section 5 of said chapter 62 is hereby further amended by inserting after subsection (e), as so appearing, the two following subsections: —

G. L. (Ter. Ed.), 62, § 5, further amended.

(f) An exemption shall be allowed against income from annuities in the amount of one thousand dollars or the exemption determined in subsection (g), whichever is smaller. In the case of an inhabitant who has attained sixty-five years of age before the close of the preceding calendar year, or where a joint return is filed by a husband and wife and either of them has attained sixty-five years of age before the close of the preceding calendar year, said exemption shall be in the amount of one thousand five hundred dollars or the amount determined in subsection (g), whichever is smaller. No exemption shall be allowed under this subsection to any inhabitant who, at the close of the preceding calendar year, was married and not legally separated from his or her spouse under a decree of divorce or separate maintenance unless a joint return is filed in accordance with the provisions of the last paragraph of section twenty-two, and the combined income of both spouses is included in said joint return.

Exemptions against "unearned income", allowed.

No exemption shall be allowed under this subsection to any unmarried inhabitant whose income during the preceding calendar year from all sources, both taxable and non-taxable, exceeded five thousand dollars; nor shall any exemption be allowed a husband or wife if the combined income of both spouses during the preceding calendar year from all sources, both taxable and non-taxable, exceeded seven thousand, five hundred dollars.

(g) The exemption determined under this subsection shall be the amount by which two thousand dollars exceeds the income from the profession, employment, trade or business as defined in section six and in the case of a joint return by a husband and wife, such exemption shall be increased by such income of that one of such spouses having the smaller of such income or by two thousand dollars, whichever is smaller.

SECTION 6. Said chapter 62 is hereby further amended by inserting after section 12, as so appearing, the following section: — *Section 12A.* For any beneficiary whose exemption provided under subsection (h) of section one exceeds said beneficiary's income of the classes described in subsections (a), (b), (c) and (e) of section one for the preceding calendar year, a trustee may, upon application by such beneficiary, claim an exemption in the amount of such excess. In the event an inhabitant of the commonwealth is a beneficiary of more than one fiduciary, the aggregate of the exemptions allowable against said inhabitant's shares of income from all fiduciaries shall not exceed the amount by which said inhabitant's exemption allowable under subsection (h) of section one exceeds the amount of said inhabitant's income of the classes described in subsections (a), (b), (c) and (e) of section one for the preceding calendar year.

G. L. (Ter. Ed.), 62, new § 12A, added.

Same subject.

Effective
date.
Application
thereof.

SECTION 7. This act shall take effect on January first, nineteen hundred and fifty-five, and shall apply to income received in the calendar year nineteen hundred and fifty-four and thereafter.

Approved June 10, 1954.

Chap. 680 AN ACT RELATIVE TO THE ORGANIZATION AND ADMINISTRATION OF THE PERSONNEL SYSTEM OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 7, § 7,
etc., amended.

SECTION 1. Section 7 of chapter 7 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by chapter 526 of the acts of 1953.

G. L. (Ter.
Ed.), 7, § 28,
amended.

SECTION 2. Said chapter 7 is hereby further amended by striking out section 28, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:

Powers and
duties of the
director of
personnel and
standardiza-
tion.

— *Section 28.* The director of personnel and standardization may carry on departmental research, tending to greater co-ordination and standardization of personnel administration, including the making of examinations and investigations, the employment of technical advisers for such purposes, and the making of recommendations based thereon.

Subject to approval of the commission on administration and finance, the said director shall make, and from time to time may amend, rules which shall regulate vacation leave, sick leave and other leave with pay and overtime compensation, maintenance charges, or payments in lieu thereof, travel and meals for persons traveling within or without the commonwealth, for permanent and temporary employees and for officers other than those exempted by such rules; provided, however, that such rules regulating sick leave shall provide that any such officer or employee who, while in the performance of duty, shall receive bodily injuries resulting from acts of violence of any patient or prisoner in his custody, and who as a result of such injury shall be entitled to weekly cash benefits under chapter one hundred and fifty-two, may be paid the difference between such benefits and his regular pay, without use of any sick leave credit to which he may have been entitled prior to such injury, and notwithstanding the fact that such injury shall be for less than eight days' duration.

Before making any such rule or amendment thereto, and before making any determination under authority of section thirty A of chapter one hundred and forty-nine, the director of personnel and standardization shall, not later than thirty days before the date on which the proposed rule, amendment or determination is to become effective, cause a notice thereof to be posted in a conspicuous place in the office of each appointing authority of the commonwealth, and shall, not later than fifteen days before the said date, hold a public hearing thereon. Such notice shall set forth the proposed rule, amendment or determination, and shall specify the hour, day and place of the said public hearing. Any such

officer or employee desiring to testify at the said hearing shall, with the prior consent of his appointing authority, be allowed to attend the same without loss of pay.

The director of personnel and standardization may, with approval of the commission on administration and finance, make rules for the prevention of accidents and industrial or occupational diseases in any employment or place of employment maintained by the commonwealth. The said director shall investigate any written complaint filed with him by any officer or employee of the commonwealth, describing in detail and with supporting evidence, any allegedly unsafe or insanitary condition relating to the work of such officer or employee; and the said director shall in writing report his findings and recommendations thereon to the commission on administration and finance, to the officer or employee who shall have filed such complaint, and to the appointing authority concerned. The commissioner of labor and industries and the commissioner of public health shall furnish the said director with such advice and assistance as he may request for the purpose of administering the provisions of this paragraph.

All rules, amendments thereto, and determinations made in accordance with this section shall be open to public inspection in the files of the division of personnel, and copies thereof shall be made available to officers and employees of the commonwealth upon request.

SECTION 3. Said chapter 7 is hereby further amended by inserting after said section 28 the following section: — *Section 28A*. The said director shall also, with advice and assistance from time to time from the director of civil service and the principal appointing authorities of the commonwealth, organize or further develop, and generally direct, in every agency of the commonwealth so far as in his judgment feasible, programs for the training, encouragement and advancement of officers and employees serving in offices and positions required to be classified under section forty-five of chapter thirty.

G. L. (Ter. Ed.), 7, new § 28A, added.

Programs for training, encouragement and advancement of state employees.

SECTION 4. Section 31A of chapter 29 of the General Laws is hereby amended by striking out, in lines 3 and 22, as appearing in chapter 520 of the acts of 1946, the words "commission on administration and finance" and inserting in place thereof, in each instance, the words: — director of personnel and standardization, — and by striking out, in line 2 of paragraph (c), as appearing in chapter 521 of the acts of 1953, the words "commission on administration and finance" and inserting in place thereof the words: — director and.

G. L. (Ter. Ed.), 29, § 31A, etc., amended.

SECTION 5. Section 24 of chapter 30 of the General Laws, as most recently amended by chapter 408 of the acts of 1946, is hereby further amended by striking out, in lines 8 and 9, the words "commission on administration and finance" and inserting in place thereof the words: — director of personnel and standardization.

G. L. (Ter. Ed.), 30, § 24, etc., amended.

G. L. (Ter.
Ed.), 30, § 38,
amended.

SECTION 6. Section 38 of said chapter 30, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

Central per-
sonnel register,
records,
reports, etc.

Said division shall establish and maintain a central personnel register, recording therein, for all employees of the commonwealth, such records as may be deemed necessary by the director of personnel and standardization with the advice and recommendations of the commission on administration and finance and the director of civil service. He shall maintain a current record of all persons working for the commonwealth. Notwithstanding any other provisions of law, all state officers or department heads, including the legislature, judicial and institution heads, shall report on all employees and all accessions and separations relating to their agencies.

G. L. (Ter.
Ed.), 149, § 6,
etc., amended.

SECTION 7. Section 6 of chapter 149 of the General Laws, as most recently amended by chapter 155 of the acts of 1952, is hereby further amended by adding at the end the following paragraph: —

Proviso.

The provisions of this section and of sections three and five shall not apply to any employment or place of employment subject to the provisions of section twenty-eight of chapter seven.

G. L. (Ter.
Ed.), 152, § 75,
etc., amended.

SECTION 8. Section 75 of chapter 152 of the General Laws, as most recently amended by section 1 of chapter 610 of the acts of 1951, is hereby amended by inserting after the word "department", in line 13, the words: — and, in the case of every such agent acting for any board, commission or department of the commonwealth, with the director of personnel and standardization.

G. L. (Ter.
Ed.), 30, § 45,
etc., amended.

SECTION 9. Chapter 30 of the General Laws is hereby amended by striking out section 45, as most recently amended by section 1 of chapter 311 of the acts of 1948, and inserting in place thereof the following section: — *Section 45.* The director of personnel and standardization shall establish, administer and keep current and complete an office and position classification plan and a pay plan of the commonwealth.

Office and
position classi-
fication plan.

(1) In pursuance of such responsibilities as to the said classification plan, the said director shall classify all appointive offices and positions in the government of the commonwealth, excepting such offices and positions in the judicial and legislative branches, but including clerical assistants of registers of probate, and he may from time to time reclassify any such office or position. In so classifying or reclassifying any such office or position, the said director (a) shall ascertain and record the duties, responsibilities, organizational relationships, qualifications for, and other significant characteristics of the office or position; (b) shall group into single classes all such offices and positions, regardless of agency or geographical location, which are substantially alike in the duties, responsibilities, organizational relationships, qualifications for, and other significant characteristics of them; (c) for each such class shall establish speci-

fications which shall include (i) an appropriate descriptive title and code number for the class, which shall be the official title of all offices and positions in the class and shall be set forth on all pay rolls by name or code, and (ii) the common features of the duties, responsibilities, organizational relationships, qualifications for, and other significant characteristics of all offices and positions in the class; and (d) may from time to time establish new classes and alter, divide, combine or abolish existing classes.

(2) Such specifications for each such class shall be submitted to the director of civil service for his prior review and written comment; and in so far as such specifications shall apply to any office or position subject to chapter thirty-one, they shall not be effective if within five work days following their submission to him the said director shall object to them in writing to the director of personnel and standardization; provided, however, that if in such a case the director of personnel and standardization and the director of civil service shall be unable to agree upon such specifications, the same shall, for the purposes of the said classification plan, be determined by the commission on administration and finance.

(3) All such specifications shall be open to public inspection in the files of the division of personnel and standardization, where three sets of such specifications shall be maintained as follows: — (a) a list arranged alphabetically by class titles; (b) a schematic list arranged so as to show the relationships between all the said classes; and (c) a schematic list arranged so as to show for each agency, and the principal administrative units thereof, the relationships between the several classes of offices and positions in the agency and the principal administrative units thereof. The director of personnel and standardization shall furnish copies of all such specifications to the director of civil service, and to each appointing authority the director of personnel and standardization shall furnish copies of such specifications for all offices and positions to which the appointing authority may make appointments.

(4) In pursuance of his said responsibilities as to the said pay plan, the director of personnel and standardization shall allocate each such office or position to the appropriate salary grade in one of the salary schedules set forth in section forty-six, excepting such offices and positions the pay for which is or shall be otherwise fixed by law and those the pay for which is required by law to be fixed subject to the approval of the governor and council, and he may from time to time reallocate any such office or position. In so allocating or reallocating any such office or position, the said director shall use standard, objective methods and procedures for evaluating the same so that the principle of fair and equal pay for similar work shall be followed; and all offices and positions in the same class shall be allocated to the same salary grade.

(5) Every such classification or reclassification, and every

such allocation or reallocation, of any such office or position shall be submitted by the director of personnel and standardization to the commission on administration and finance for approval, and none shall be effective without the approval of the said commission; provided, however, that the said commission shall not approve the allocation or reallocation of any such office or position to a salary grade higher than that proposed by the said director, but the said commission may allocate or reallocate any such office or position to a salary grade lower than that proposed by the said director.

(6) Subject to the approval of the commission on administration and finance, the director of personnel and standardization shall make, and from time to time may amend, rules governing the establishment and administration of the said classification and pay plans. Such rules, and amendments thereto, shall be open to public inspection in the files of the division of personnel and standardization and copies thereof shall be made available to officers and employees of the commonwealth upon request.

(7) In performing his duties under this section, the said director shall from time to time consult with the appointing authorities concerned, or their designated deputies, and may from time to time consult with representatives of officers and employees of the commonwealth; and he may from time to time appoint and seek the advice of such committees of such officers and employees, their representatives, and of consultants from outside the service of the commonwealth as he may consider necessary or desirable.

(8) The foregoing provisions of this section shall be subject to the provisions of sections forty-six to fifty, inclusive, wherever the same or any of them shall apply.

G. L. (Ter. Ed.), 30, § 46, etc., amended.

SECTION 10. Section 46 of said chapter 30 is hereby amended by striking out paragraph (1), as appearing in section 2 of chapter 311 of the acts of 1948, and inserting in place thereof the following paragraph:—

(1) The following shall be the salary schedules for the pay plan of the commonwealth:—

G. L. (Ter. Ed.), 30, § 46, etc., further amended.

SECTION 11. Said section 46 of said chapter 30 is hereby further amended by striking out paragraph (5), as so appearing, and inserting in place thereof the following paragraph:—

Recruitment of certain employees at higher salary rate, permitted.

(5) The said director may, with the approval of the commission on administration and finance, permit the recruitment of employees at a rate above the minimum, but not exceeding the maximum, of the salary grade for the office or position concerned; provided, however, that the said director shall have first determined, upon request of the appointing authority concerned, that an emergency shall exist, due to lack of sufficient employees. Any such permit shall remain in effect until rescinded by the said director, but shall not be in effect longer than one year unless renewed in like manner and with like approval. Whenever the said director shall permit such recruitment, all employees in the same class being paid at a rate or rates below such rate of recruit-

ment shall be advanced to the said recruitment rate in the salary grade.

SECTION 12. Said section 46 of said chapter 30 is hereby further amended by striking out paragraph (6), as most recently amended by section 1 of chapter 406 of the acts of 1949, and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 30, § 46, etc., further amended.

(6) When in accordance with sections forty-five to fifty, inclusive, the office of any officer or the position of any employee shall be initially allocated to a salary grade in the applicable salary schedule, or shall be reallocated to a higher salary grade, or when in accordance with the said sections any officer or employee shall be transferred or promoted to another position in a different salary grade, any such officer or employee, for subsequent step-rate increases, shall be credited with the number of years of service which shall correspond to his rate in the salary grade for such office or position. Any officer or employee reinstated or re-employed, if reinstated or re-employed within three years following his separation from the pay roll, shall be credited with the number of years of service which shall correspond to his rate in the salary grade to which his office or position at the time of such separation shall then have been allocated; but in no event shall he be paid at a rate lower than that which he shall have been receiving at the time of such separation. Such credit for any employee reinstated or re-employed after three or more years following such separation shall be determined in accordance with rules of the director of personnel and standardization.

Regulation of salaries when positions re-allocated, etc.

SECTION 13. Paragraph (8) of said section 46 of said chapter 30, as most recently amended by section 2 of said chapter 406, is hereby further amended by inserting after the word "rendered", in line 3, the words: — in such position, — and by inserting after the word "in", in line 5, the words: — such position in.

G. L. (Ter. Ed.), 30, § 46, etc., further amended.

SECTION 14. Said chapter 30 is hereby further amended by inserting after section 46 the following section: — *Section 46A.* No office or position subject to the classification and pay plans provided for by section forty-five shall be allocated or reallocated to a salary grade in the applicable salary schedule set forth in section forty-six, and the pay of no officer or employee of the commonwealth shall be increased as the result of such allocation or reallocation of any such office or position, unless and until (1) a recommendation or request for such allocation or reallocation shall have been made in writing to or by the director of personnel and standardization, a copy of which shall be filed with the budget commissioner; (2) a written report on such recommendation or request shall, following investigation by the said director in accordance with the methods and procedures required by section forty-five, have been prepared by the said director; and (3) a copy of such report shall have been filed by the said director with the chairman of the commission on administration and finance, the budget commissioner, and the

G. L. (Ter. Ed.), 30, new § 46A, added. Allocations, etc., of positions in the classified service, regulated.

house and senate committees on ways and means. Such report shall include the written comments which the appointing authority concerned is hereby required to make to the said director on the recommendation or request.

G. L. (Ter. Ed.), 30, § 48, amended.

SECTION 15. Section 48 of said chapter 30, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the word "grades" and inserting in place thereof the word: — classes.

G. L. (Ter. Ed.), 30, § 49, amended.

SECTION 16. Section 49 of said chapter 30, as so appearing, is hereby amended by striking out, in line 5, the words "governor and council" and inserting in place thereof the words: — commission on administration and finance.

G. L. (Ter. Ed.), 31, § 2A, etc., amended.

SECTION 17. Paragraph (d) of section 2A of chapter 31 of the General Laws, as appearing in section 2 of chapter 725 of the acts of 1945, is hereby amended by adding at the end the following sentence: — If in performing said duties the director proposes to change any specifications previously approved in accordance with section forty-five of chapter thirty, he shall submit such proposed changes to the director of personnel and standardization for his prior review and written comment; and they shall not be effective if within five work days following their submission to him the said director shall object to them in writing to the director of civil service; provided, however, that if in such case the director of civil service and the director of personnel and standardization shall be unable to agree in such changes in specifications, the same shall, for the purposes of the said classification plan, be determined by the commission on administration and finance.

Certain changes in position specifications subject to review by director.

Certain rules and regulations, continued.

SECTION 18. The rules and regulations of the division of personnel and standardization and of the commission on administration and finance in force immediately prior to the effective date of this act are hereby continued and shall become the rules and regulations of the division of personnel and standardization.

Certain rights of employees, protected.

SECTION 19. Nothing in this act shall be construed to affect the right of any employee to vacation or sick leave allowances which have accrued to him as of the effective date of this act.

Approved June 10, 1954.

Chap. 681 AN ACT PROVIDING FOR THE IMPROVEMENT OF THE ADMINISTRATION OF JUSTICE BY PRESCRIBING FAIR ADMINISTRATIVE PROCEDURES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), new chapter 30A, added.

SECTION 1. The General Laws are hereby amended by inserting after chapter 30 the following chapter: —

CHAPTER 30A.

STATE ADMINISTRATIVE PROCEDURE.

Definitions.

Section 1. For the purposes of this chapter —

(1) "Adjudicatory proceeding" means a proceeding before an agency in which the legal rights, duties or privileges

of specifically named persons are required by constitutional right or by any provision of the General Laws to be determined after opportunity for an agency hearing. Without enlarging the scope of this definition, adjudicatory proceeding does not include (a) proceedings solely to determine whether the agency shall institute or recommend institution of proceedings in a court; or (b) proceedings for the arbitration of labor disputes voluntarily submitted by the parties to such disputes; or (c) proceedings for the disposition of grievances of employees of the commonwealth; or (d) proceedings to classify or reclassify, or to allocate or reallocate, appointive offices and positions in the government of the commonwealth.

(2) "Agency" includes any department, board, commission, division or authority of the state government, or subdivision of any of the foregoing, or official of the state government, authorized by law to make regulations or to conduct adjudicatory proceedings, but does not include the following: the legislative and judicial departments; the governor and council; military or naval boards, commissions or officials; the department of correction; the youth service board and the division of youth service in the department of education; the parole board; the division of industrial accidents of the department of labor and industries; and the division of child guardianship of the department of public welfare.

(3) "Party" to an adjudicatory proceeding means: — (a) the specifically named persons whose legal rights, duties or privileges are being determined in the proceeding; and (b) any other person who as a matter of constitutional right or by any provision of the General Laws is entitled to participate fully in the proceeding, and who upon notice as required in paragraph (1) of section eleven makes an appearance; and (c) any other person allowed by the agency to intervene as a party. Agencies may by regulation not inconsistent with this section further define the classes of persons who may become parties.

(4) "Person" includes all political subdivisions of the commonwealth.

(5) "Regulation" includes the whole or any part of every rule, regulation, standard or other requirement of general application and future effect adopted by an agency to implement or interpret the law enforced or administered by it, but does not include (a) advisory rulings issued under section eight; or (b) regulations concerning only the internal management or discipline of the adopting agency or any other agency, and not directly affecting the rights of or the procedures available to the public or that portion of the public affected by the agency's activities; or (c) regulations concerning the operation and management of state penal, correctional, welfare, educational, public health and mental health institutions and soldiers' homes, or the development and management of property of the commonwealth or of the

agency; or (d) regulations relating to the use of public works, including streets and highways, when the substance of such regulations is indicated to the public by means of signs or signals; or (e) decisions issued in adjudicatory proceedings.

(6) "Substantial evidence" means such evidence as a reasonable mind might accept as adequate to support a conclusion.

Notice and
public hearing
by agency,
regulated.

Section 2. Prior to the adoption or amendment of any regulation as to which a hearing is required by any law, or any other regulation the violation of which is punishable by fine or imprisonment except a regulation of agency practice or procedure, an agency shall give notice and hold a public hearing, as follows:—

(1) The agency shall, within the time specified by any law, or, if no time is specified, then at least twenty-one days prior to the public hearing, (a) publish notice of such hearing in such manner as is specified by any law, or, if no manner is specified, then in such newspapers, and, where appropriate, in such trade, industry or professional publications as the agency may select; and (b) notify any person specified by any law, and, in addition, any person or group filing written request, such request to be renewed yearly in December, for notice of hearings which may affect that person or group, notification being by mail or otherwise to the last address specified by the person or group.

The notice shall (a) refer to the statutory authority under which the action is proposed; (b) give the time and place of the public hearing; (c) either state the express terms or describe the substance of the proposed regulation or amendment, or state the subjects and issues involved; and (d) include any additional matter required by any law.

(2) The public hearing shall comply with any requirements imposed by law, but shall not be subject to the provisions of this chapter governing adjudicatory proceedings.

(3) If the agency finds that immediate adoption or amendment of a regulation is necessary for the preservation of the public health, safety or general welfare, and that observance of the requirements of notice and public hearing would be contrary to the public interest, the agency may dispense with such requirements and adopt the regulation or amendment as an emergency regulation or amendment. The agency's finding and a brief statement of the reasons for its finding shall be incorporated in the emergency regulation or amendment as filed with the state secretary under section thirty-seven of chapter thirty. An emergency regulation or amendment shall not remain in effect for longer than three months unless during that time the agency gives notice and holds a public hearing as required in this section, and files notice of compliance with the state secretary.

This section does not relieve any agency from compliance with any law requiring that its regulations be approved by designated persons or bodies before they become effective.

Section 3. Prior to the adoption or amendment of any

regulation other than those subject to section two, or the repeal of any regulation, an agency shall give notice and afford interested persons an opportunity to present data, views or arguments, as follows: —

Notice and opportunity to interested persons to be heard.

(1) The agency shall, within the time specified by any law, or if no time is specified, then at least twenty-one days prior to its proposed action, (a) publish notice of its proposed action in such manner as is specified by any law, or if no manner is specified then in such newspapers, and, where appropriate, in such trade, industry or professional publications as the agency may select; and (b) notify any person specified by any law, and, in addition, any person or group filing written request, such request to be renewed yearly in December, for notice of proposed action which may affect that person or group, notification being by mail or otherwise to the last address specified by the person or group.

The notice shall (a) refer to the statutory authority under which the action is proposed; (b) give the time and place of any public hearing, or state the manner in which data, views or arguments may be submitted to the agency by any interested person; (c) either state the express terms or describe the substance of the proposed action, or state the subjects and issues involved; and (d) include any additional matter required by any law.

(2) The agency shall afford interested persons an opportunity to present data, views or arguments in regard to the proposed action orally or in writing. If the agency finds that oral presentation is unnecessary or impracticable, it may require that presentation be made in writing.

(3) If the agency finds that the requirements of notice and opportunity to present views on its proposed action are unnecessary, impracticable or contrary to the public interest, the agency may dispense with such requirements or any part thereof. The agency's finding and a brief statement of the reasons for its finding shall be incorporated in the regulation, amendment or repeal as filed with the state secretary under section thirty-seven of chapter thirty.

This section does not relieve any agency from compliance with any law requiring that its regulations be approved by designated persons or bodies before they may become effective.

Section 4. Any interested person may petition an agency requesting the adoption, amendment or repeal of any regulation, and may accompany his petition with such data, views and arguments as he thinks pertinent. Each agency shall prescribe by regulation the procedure for the submission, consideration and disposition of such petitions.

Certain petitions by any interested person, authorized.

Section 5. Regulations made in accordance with the provisions of this chapter shall be filed with the state secretary under the requirements of section thirty-seven of chapter thirty. Regulations shall become effective upon filing, unless a later date is required by any law or is specified by the agency in the regulation.

Regulations to be filed with state secretary, etc.

Such filing shall be prima facie evidence of compliance with all regulation making requirements imposed by law.

Publication
by agency of
its regulations,
required.
Distribution,
etc.

Section 6. Each agency shall compile all of its regulations currently in effect and cause them to be published in pamphlet, looseleaf or other appropriate form in printed, mimeographed or other written manner, and shall make the publication available for distribution to any interested person on request. The publication may be compiled in separate parts, so long as the parts taken together include all regulations. The agency shall keep the publication currently up to date in any manner it deems practicable.

The agency may include in the publication an informal description of its organization and procedures, and any other explanatory information it considers useful to aid interested persons in dealing with the agency.

Except where any law requires distribution to designated persons or groups without request, the agency is authorized to charge not more than cost for each copy of the publication distributed upon request. The charge shall be subject to the approval of the state purchasing agent, in accordance with the procedure provided in section twenty-nine of chapter seven.

Duty of state
secretary.

The state secretary, if he finds that any agency fails to comply with this section, shall report the matter to the governor and council. The state secretary shall also, as part of his regular annual report to the general court, report on the state of compliance of the agencies with this section. For these purposes, all agencies shall file with the state secretary copies of their publications of compiled regulations, and shall supply him with such other information as he may request.

Judicial review
of regulations.

Section 7. Unless an exclusive mode of review is provided by law, judicial review of any regulation may be had through petition for declaratory relief in the manner and to the extent provided under chapter two hundred and thirty-one A.

Advisory
rulings in
certain cases,
authorized.

Section 8. On request of any interested person, an agency may make an advisory ruling with respect to the applicability to any person, property or state of facts of any statute or regulation enforced or administered by that agency. In issuing the advisory ruling, the agency need not comply with the requirements of this chapter with respect to regulations.

Adoption of
regulations,
required.

Section 9. Each agency shall adopt regulations governing the procedures prescribed by this chapter.

Adjudicatory
proceedings,
regulated.

Section 10. In conducting adjudicatory proceedings, as defined in this chapter, agencies shall afford all parties an opportunity for full and fair hearing. Unless otherwise provided by any law, agencies may (1) place on any party the responsibility of requesting a hearing if the agency notifies him in writing of his right to a hearing and of his responsibility to request the hearing; (2) make informal disposition of any adjudicatory proceeding by stipulation, agreed settlement, consent order or default; (3) limit the issues to be heard or vary the procedures prescribed by section eleven, if the parties agree to such limitation or variation; and (4)

allow any person showing that he may be substantially and specifically affected by the proceeding to intervene as a party in the whole or any portion of the proceeding, and allow any other interested person to participate by presentation of argument orally or in writing, or for any other limited purpose, as the agency may order.

When a party to an adjudicatory proceeding has the opportunity, by provision of any law or by regulation, to obtain more than one agency hearing on the same question, whether before the same agency or before different agencies, it shall be sufficient if the last hearing available to the party complies with the requirements of this chapter, and the earlier hearings need not so comply.

When a party has the opportunity to obtain an agency hearing, followed by one or more appeals before the same agency or before different agencies, such appeals being limited to the record made at the hearing, the appeal procedure need not comply with any requirement of this chapter for the conduct of adjudicatory proceedings except paragraphs (7) and (8) of section eleven.

When, under a provision of any law, a hearing is required only upon direction of an agency or upon request made in accordance with such provision by a person entitled to make such request, the requirements of this chapter governing the conduct of adjudicatory proceedings shall not apply unless and until such direction or request is in fact made.

Section 11. In addition to other requirements imposed by law and subject to the provisions of section ten, agencies shall conduct adjudicatory proceedings in compliance with the following requirements: —

Requirements
for conduct of
adjudicatory
proceedings.

(1) Reasonable notice of the hearing shall be accorded all parties and shall include statements of the time and place of the hearing. Parties shall have sufficient notice of the issues involved to afford them reasonable opportunity to prepare and present evidence and argument. If the issues cannot be fully stated in advance of the hearing, they shall be fully stated as soon as practicable. In all cases of delayed statement, or where subsequent amendment of the issues is necessary, sufficient time shall be allowed after full statement or amendment to afford all parties reasonable opportunity to prepare and present evidence and argument respecting the issues.

(2) Unless otherwise provided by any law, agencies need not observe the rules of evidence observed by courts, but shall observe the rules of privilege recognized by law. Evidence may be admitted and given probative effect only if it is the kind of evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs. Agencies may exclude unduly repetitious evidence, whether offered on direct examination or cross-examination of witnesses.

(3) Every party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine witnesses who testify, and to submit rebuttal evidence.

(4) All evidence, including any records, investigation reports, and documents in the possession of the agency of which it desires to avail itself as evidence in making a decision, shall be offered and made a part of the record in the proceeding, and no other factual information or evidence shall be considered, except as provided in paragraph (5) of this section. Documentary evidence may be received in evidence in the form of copies or excerpts, or by incorporation by reference.

(5) Agencies may take notice of any fact which may be judicially noticed by the courts, and in addition, may take notice of general, technical or scientific facts within their specialized knowledge. Parties shall be notified of the material so noticed, and they shall be afforded an opportunity to contest the facts so noticed. Agencies may utilize their experience, technical competence, and specialized knowledge in the evaluation of the evidence presented to them.

(6) Agencies shall make available an official record, which shall include testimony and exhibits, and which may be in narrative form, but the agency need not arrange to transcribe shorthand notes or sound recordings unless requested by a party. If so requested, the agency may, unless otherwise provided by any law, require the party to pay the reasonable costs of the transcript before the agency makes the transcript available to the party.

(7) If a majority of the officials of the agency who are to render the final decision have neither heard nor read the evidence, such decision, if adverse to any party other than the agency, shall be made only after (a) a tentative or proposed decision is delivered or mailed to the parties containing a statement of reasons and including determination of each issue of fact or law necessary to the tentative or proposed decision; and (b) an opportunity is afforded each party adversely affected to file objections and to present argument, either orally or in writing as the agency may order, to a majority of the officials who are to render the final decision. The agency may by regulation provide that, unless parties make written request in advance for the tentative or proposed decision, the agency shall not be bound to comply with the procedures of this paragraph.

(8) Every agency decision shall be in writing or stated in the record. The decision shall be accompanied by a statement of reasons for the decision, including determination of each issue of fact or law necessary to the decision, unless the General Laws provide that the agency need not prepare such statement in the absence of a timely request to do so. Parties to the proceeding shall be notified in person or by mail of the decision; of their rights to review or appeal the decision within the agency or before the courts, as the case may be; and of the time limits on their rights to review or appeal. A copy of the decision and of the statement of reasons, if prepared, shall be delivered or mailed upon request to each party and to his attorney of record.

Section 12. In conducting adjudicatory proceedings, agencies shall issue, vacate, modify and enforce subpoenas in accordance with the following provisions: —

Issuance of subpoenas, etc., in adjudicatory proceedings, regulated.

(1) Agencies shall have the power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence, including books, records, correspondence or documents, relating to any matter in question in the proceeding. Agencies may administer oaths and affirmations, examine witnesses, and receive evidence. The power to issue subpoenas may be exercised by any member of the agency or by any person or persons designated by the agency for such purpose.

(2) The agency may prescribe the form of subpoena, but it shall adhere, in so far as practicable, to the form used in civil cases before the courts. Witnesses shall be summoned in the same manner as witnesses in civil cases before the courts, unless another manner is provided by any law. Witnesses summoned shall be paid the same fees for attendance and travel as in civil cases before the courts, unless otherwise provided by any law.

(3) Any party to an adjudicatory proceeding shall be entitled as of right to the issue of subpoenas in the name of the agency conducting the proceeding. The party may have such subpoenas issued by a notary public or justice of the peace, or he may make written application to the agency, which shall forthwith issue the subpoenas requested. However issued, the subpoena shall show on its face the name and address of the party at whose request the subpoena was issued. Unless otherwise provided by any law, the agency need not pay fees for attendance and travel to witnesses summoned by a party.

(4) Any witness summoned may petition the agency to vacate or modify a subpoena issued in its name. The agency shall give prompt notice to the party, if any, who requested issuance of the subpoena. After such investigation as the agency considers appropriate it may grant the petition in whole or part upon a finding that the testimony, or the evidence whose production is required, does not relate with reasonable directness to any matter in question, or that a subpoena for the attendance of a witness or the production of evidence is unreasonable or oppressive, or has not been issued a reasonable period in advance of the time when the evidence is requested.

(5) Upon the failure of any person to comply with a subpoena issued in the name of the agency and not revoked or modified by the agency as provided in this section, any justice of the superior court, upon application by the agency or by the party who requested that the subpoena be issued, may in his discretion issue an order requiring the attendance of such person before the agency and the giving of testimony or production of evidence. Any person failing to obey the court's order may be punished by the court for contempt.

Section 13. "License", as used in this section, includes

"License", to include.

Revocation,
renewal, etc.,
of licenses,
regulated.

any license, permit, certificate, registration, charter, authority or similar form of permission required by law.

Except as otherwise provided in this section, no agency shall revoke or refuse to renew any license unless it has first afforded the licensee an opportunity for hearing in conformity with sections ten, eleven and twelve. If a licensee has, in accordance with any law and with agency regulations, made timely and sufficient application for a renewal, his license shall not expire until his application has been finally determined by the agency. Any agency that has authority to suspend a license without first holding a hearing shall promptly upon exercising such authority afford the licensee an opportunity for hearing in conformity with sections ten, eleven and twelve.

This section shall not apply —

(1) Where a provision of the General Laws expressly provides that an agency is not required to grant a hearing in regard to revocation, suspension or refusal to renew a license, as the case may be; or

(2) Where the agency is required by any law to revoke, suspend or refuse to renew a license, as the case may be, without exercising any discretion in the matter, on the basis of a court conviction or judgment; or

(3) Where the revocation, suspension or refusal to renew is based solely upon failure of the licensee to file timely reports, schedules, or applications, or to pay lawfully prescribed fees, or to maintain insurance coverage as required by any law or by regulation.

Judicial review
of adjudicatory
proceedings.

Section 14. Except so far as any provision of law expressly precludes judicial review, any person or appointing authority aggrieved by a final decision of any agency in an adjudicatory proceeding, whether such decision is affirmative or negative in form, shall be entitled to a judicial review thereof, as follows: —

Exceptions.

Where a statutory form of judicial review or appeal is provided, other than by extraordinary writ, such statutory form shall govern in all respects, except as to standards for review. The standards for review shall be those set forth in paragraph (8) of this section, except so far as statutes provide for review by trial de novo. In so far as the statutory form of judicial review or appeal is silent as to procedures provided in this section, the provisions of this section shall govern such procedures.

Where no statutory form of judicial review or appeal is provided, or where the only statutory form of review is by extraordinary writ, judicial review shall be obtained by means of a petition for review, as follows: —

(1) Proceedings for judicial review of an agency decision shall be instituted by the filing of a petition for review in the superior court for the county (a) where the petitioners or any of them reside or have their principal place of business within the commonwealth, or (b) where the agency has its principal office, or (c) of Suffolk. The court may grant a change of

venue upon good cause shown. The petition shall be filed in the court within thirty days after receipt of notice of the final decision of the agency, or, if a petition for re-hearing has been timely filed with the agency, within thirty days after receipt of notice of agency denial of such petition for re-hearing. Upon application made within the thirty-day period or any extension thereof, the court may for good cause shown extend the time. A copy of the petition shall, within the same period, be served personally or by registered mail upon the agency or one of its members or upon its secretary or clerk.

(2) The petition shall be addressed to the court and shall include a concise statement of the facts upon which jurisdiction and venue are based, facts showing that petitioner is aggrieved, and the ground or grounds specified in paragraph (8) of this section upon which petitioner contends he is entitled to relief. The petition shall demand the relief to which petitioner believes he is entitled, which demand may be in the alternative. Copies of the petition shall be served, personally or by registered mail, not later than ten days after the institution of the proceeding upon all parties to the agency proceeding in which the decision sought to be reviewed was made. For the purpose of such service the agency upon request shall certify to the petitioner the names and addresses of all such parties as disclosed by its records, and service upon parties so certified shall be sufficient. All parties to the proceeding before the agency shall have the right to intervene in the proceeding for review. The court may in its discretion permit other interested persons to intervene.

(3) The filing of the petition shall not operate as a stay of enforcement of the agency decision, but the agency may stay enforcement, and the reviewing court may order a stay upon such terms as it considers proper.

(4) Within forty days after service of a copy of the petition for review upon the agency, or within such further time as the court may allow, the agency shall file in the court the original or a certified copy of the record of the proceeding under review. The record shall consist of (a) the entire proceedings, or (b) such portions thereof as the agency and the parties may stipulate, or (c) a statement of the case agreed to by the agency and the parties. The expense of preparing the record may be assessed as part of the costs in the case, and the court may, regardless of the outcome of the case, assess any one unreasonably refusing to stipulate to limit the record, for the additional expenses of preparation caused by such refusal. The court may require or permit subsequent corrections or additions to the record when deemed desirable.

(5) Any person served with a copy of the petition for review as provided in paragraph (2) of this section, and who desires to intervene in the review proceeding, shall, within ten days after service of the copy of the petition upon such person, serve upon petitioner and the agency, and file in the

court, a notice of intervention stating his interest and the position he takes with respect to the agency decision under review. Service of all subsequent papers or notices in the review proceeding need be made only upon the agency and the parties, who shall include the petitioner, those persons who have filed notices of intervention, and any other persons who have been permitted to intervene by the court.

(6) The review shall be conducted by the court without a jury and shall be confined to the record, except that in cases of alleged irregularities in procedure before the agency, not shown in the record, testimony thereon may be taken in the court.

(7) If application is made to the court for leave to present additional evidence, and it is shown to the satisfaction of the court that the additional evidence is material to the issues in the case, and that there was good reason for failure to present it in the proceeding before the agency, the court may order that the additional evidence be taken before the agency upon such conditions as the court deems proper. The agency may modify its findings and decision by reason of such additional evidence and shall file with the reviewing court, to become a part of the record; the additional evidence, together with any modified or new findings or decision.

(8) The court may affirm the decision of the agency, or remand the matter for further proceedings before the agency; or the court may set aside or modify the decision, or compel any action unlawfully withheld or unreasonably delayed, if it determines that the substantial rights of any party may have been prejudiced because the agency decision is —

- (a) In violation of constitutional provisions; or
- (b) In excess of the statutory authority or jurisdiction of the agency; or
- (c) Based upon an error of law; or
- (d) Made upon unlawful procedure; or
- (e) Unsupported by substantial evidence; or
- (f) Unwarranted by facts found by the court on the record as submitted or as amplified under paragraph (7) of this section, in those instances where the court is constitutionally required to make independent findings of fact; or
- (g) Arbitrary or capricious, an abuse of discretion, or otherwise not in accordance with law.

The court shall make the foregoing determinations upon consideration of the entire record, or such portions of the record as may be cited by the parties. The court shall give due weight to the experience, technical competence, and specialized knowledge of the agency, as well as to the discretionary authority conferred upon it.

If the court finds that the action of the appointing authority in discharging, removing, suspending, laying off, transferring from his office or employment without his consent, lowering in rank or compensation or abolishing his position, or the action of the commission confirming the

action taken by the appointing authority, was not justified, the employee shall be reinstated in his office or position without loss of compensation and the court shall assess reasonable costs against the employer.

Section 15. The supreme judicial court shall have jurisdiction to review any proceedings had, determinations made, and orders or decrees issued in the superior court pursuant to section fourteen in the same manner and to the same extent as in equity suits, so far as the provisions governing equity suits are applicable. The court may by rule vary the procedure authorized or required by this section upon a finding that the review by the court will thereby be made more simple, speedy and effective.

Jurisdiction of supreme judicial court.

Section 16. The supreme judicial court shall have the power to make rules of pleading, practice and procedure supplementary to and not inconsistent with the provisions of this chapter relating to judicial review of administrative action, and to amend such rules, for the purpose of securing a simple, speedy and effective judicial review of administrative action.

Power of supreme judicial court to make certain rules, etc.

Section 17. If any provision of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application.

Severability provision.

SECTION 2. Section thirty-seven A of chapter thirty of the General Laws, inserted by chapter five hundred and seventy-six of the acts of nineteen hundred and fifty-one, is hereby repealed. Any reference in the General Laws to said section thirty-seven A shall be deemed to refer to section two of chapter thirty A of the General Laws, inserted by section one of this act.

G. L. (Ter. Ed.), 30, § 37A, etc., repealed.

SECTION 3. Subdivision 1 of the second paragraph of section 4 of chapter 14 of the General Laws, as appearing in section 1 of chapter 654 of the acts of 1953, is hereby further amended by striking out, in lines 9 and 10, the words "sections thirty-seven and thirty-seven A of chapter thirty" and inserting in place thereof the words: — section thirty-seven of chapter thirty and section two of chapter thirty A.

G. L. (Ter. Ed.), 14, § 4, etc., amended.

SECTION 4. The first paragraph of section 11K of chapter 23 of the General Laws, as appearing in section 2 of chapter 707 of the acts of 1941, is hereby amended by striking out the seventh sentence, — by striking out, in line 30, the words "on questions on law", — and by adding at the end the following sentence: — Such order or decision shall be reviewed in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A.

G. L. (Ter. Ed.), 23, § 11K, etc., amended.

SECTION 5. Section 13 of chapter 58A of the General Laws is hereby amended by striking out the fifth sentence, as appearing in section 7 of chapter 321 of the acts of 1933, — by striking out, in line 23 as so appearing, the words "as to matters of law", — and by inserting after the sixth sentence, as so appearing, the following sentence: — The de-

G. L. (Ter. Ed.), 58A, § 13, etc., amended.

cision of the board shall be reviewed in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A.

G. L. (Ter. Ed.), 93, § 21C, etc., amended.

SECTION 6. Section 21C of chapter 93 of the General Laws, inserted by section 2 of chapter 583 of the acts of 1941, is hereby amended by striking out, in line 5, the words "the reasonableness of", — and by adding at the end the following sentence: — Such review shall be in accordance with the standards of review provided in paragraph (8) of section fourteen of chapter thirty A.

G. L. (Ter. Ed.), 94A, § 21, etc., amended.

SECTION 7. Section 21 of chapter 94A of the General Laws is hereby amended by striking out the fourth sentence, as appearing in section 2 of chapter 691 of the acts of 1941, and inserting in place thereof the following sentence: — The order, rule, regulation or decision of the commission shall be reviewed in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A, — and by striking out the seventh sentence, as so appearing.

G. L. (Ter. Ed.), 111, § 27B, etc., amended.

SECTION 8. The sixth paragraph of section 27B of chapter 111 of the General Laws, as appearing in section 1 of chapter 600 of the acts of 1953, is hereby amended by striking out, in lines 16 and 17, the words "sections thirty-seven and thirty-seven A of chapter thirty" and inserting in place thereof the words: — section thirty-seven of chapter thirty and section two of chapter thirty A.

G. L. (Ter. Ed.), 112, § 64, amended.

SECTION 9. Section 64 of chapter 112 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 4, the words "if it appears that the decision was clearly wrong" and inserting in place thereof the words: — in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A.

G. L. (Ter. Ed.), 150A, § 6, etc., amended.

SECTION 10. Paragraph (e) of section 6 of chapter 150A of the General Laws, as appearing in section 2 of chapter 345 of the acts of 1938, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — The order or decision of the commission shall be reviewed in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A, — and by striking out, in lines 34 and 35, the words "which, if supported by the evidence, shall be conclusive,".

G. L. (Ter. Ed.), 150A, § 6, etc., further amended.

SECTION 11. Paragraph (f) of said section 6 of said chapter 150A, as so appearing, is hereby amended by striking out, in lines 21 to 23, inclusive, the words "; and the findings of the commission as to the facts, if supported by evidence, shall in like manner be conclusive".

G. L. (Ter. Ed.), 151A, § 42, etc., amended.

SECTION 12. Section 42 of chapter 151A of the General Laws, as amended, is hereby further amended by striking out the eighth sentence, as appearing in section 6 of chapter 534 of the acts of 1943, and inserting in place thereof the following sentence: — The findings and decisions of the board shall be reviewed in accordance with the standards

for review provided in paragraph (8) of section fourteen of chapter thirty A.

SECTION 13. Section 6 of chapter 151B of the General Laws, as appearing in section 4 of chapter 368 of the acts of 1946, is hereby amended by striking out the seventh sentence and inserting in place thereof the following sentence: — The order or decision of the commission shall be reviewed in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A.

G. L. (Ter. Ed.), 151B, § 6, etc., amended.

SECTION 14. Section 4 of chapter 151C of the General Laws, as appearing in section 2 of chapter 726 of the acts of 1949, is hereby amended by striking out paragraph (c) and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 151C, § 4, etc., amended.

(c) The decision of the board shall be reviewed in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A.

SECTION 15. Paragraph (c) of section 52F of chapter 152 of the General Laws, as appearing in section 2 of chapter 619 of the acts of 1947, is hereby amended by striking out, in lines 4 and 5, the words “and shall not be limited to questions of law”, — and by inserting after the first sentence the following sentence: — The order or decision of the commissioner shall be reviewed in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A.

G. L. (Ter. Ed.), 152, § 52F, etc., amended.

SECTION 16. The second paragraph of section 5 of chapter 167 of the General Laws, as appearing in chapter 337 of the acts of 1933, is hereby amended by striking out, in line 8, the words “of fact and of law involved” and inserting in place thereof the words: — in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A.

G. L. (Ter. Ed.), 167, § 5, etc., amended.

SECTION 17. Paragraph (c) of section 18 of chapter 174A of the General Laws, as appearing in section 1 of chapter 614 of the acts of 1947, is hereby amended by striking out, in line 4, the words “and shall not be limited to questions of law”, — and by inserting after the first sentence the following sentence: — The order or decision shall be reviewed in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A.

G. L. (Ter. Ed.), 174A, § 18, etc., amended.

SECTION 18. Paragraph C of section 108 of chapter 175 of the General Laws, as appearing in section 1 of chapter 275 of the acts of 1954, is hereby further amended by striking out, in line 13, the words “of fact and of law involved therein” and inserting in place thereof the words: — in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A.

G. L. (Ter. Ed.), 175, § 108, etc., amended.

SECTION 19. Paragraph (c) of section 19 of chapter 175A of the General Laws, as appearing in section 1 of chapter 641 of the acts of 1947, is hereby amended by striking out, in line 4, the words “and shall not be limited to questions of law”, — and by inserting after the first sentence the following sentence: — The order or decision shall be reviewed in

G. L. (Ter. Ed.), 175A, § 19, etc., amended.

accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A.

General repeal provision.

SECTION 20. All provisions of the General Laws setting forth standards for review in conflict with paragraph (8) of section fourteen of chapter thirty A of the General Laws are hereby repealed.

Publication of regulations, regulated.

SECTION 21. The initial compilation and publication by each agency under section six of said chapter thirty A of all its regulations shall be made as soon as practicable after the effective date of this act, but not later than one year thereafter.

Effective date.
Application thereof.

SECTION 22. This act shall take effect on July first, nineteen hundred and fifty-five, but those of its provisions that relate to agency procedure shall not be applied in any proceeding then pending in an agency unless the agency and the parties agree to their application, and those of its provisions that relate to judicial review shall not be applied in any proceeding then pending in a court unless the agency and the parties agree to their application and the court gives its approval.

Approved June 10, 1954.

Chap.682 AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS AND NOTES TO BE ISSUED BY THE COMMONWEALTH.

Emergency preamble.

Whereas, The deferred operation of this act would cause great inconvenience in the issues of bonds and notes to carry out the purposes of various acts passed at the current session of the general court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section four of chapter one hundred and forty-eight of the acts of the current year, establishing a gypsy moth control program, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and fifty-nine, as recommended by the governor in a message to the general court, dated June eighth, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 2. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section three of chapter two hundred and seventy-eight of the acts of the current year, authorizing the metropolitan district commission to erect a new standpipe in the West Roxbury district of the city of Boston and to construct a water main to the town of Norwood, shall be issued for maximum terms of thirty years, and shall be payable not earlier than July first, nineteen hundred and fifty-

five, nor later than June thirtieth, nineteen hundred and eighty-five, as recommended by the governor in a message to the general court, dated June eighth, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 3. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section four of chapter three hundred and ninety-nine of the acts of the current year, to include the town of Wilmington within the north metropolitan sewerage district, shall be issued for maximum terms of thirty years, as recommended by the governor in a message to the general court, dated June eighth, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 4. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section eight of chapter four hundred and three of the acts of the current year, providing for an accelerated highway program, shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from their date of issue, and the entire issue not later than June thirtieth, nineteen hundred and eighty, as recommended by the governor in a message to the general court, dated June eighth, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 5. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section three of chapter four hundred and fifty-two of the acts of the current year, providing for the construction of additional sewers in the north metropolitan sewerage district, shall be issued for maximum terms of thirty years, as recommended by the governor in a message to the general court, dated June eighth, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 6. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section three of chapter four hundred and sixty-two of the acts of the current year, providing for the reconstruction of the Clinton sewage disposal works, shall be issued for maximum terms of thirty years, and shall be payable not earlier than July first, nineteen hundred and fifty-four, nor later than June thirtieth, nineteen hundred and eighty-nine, as recommended by the governor in a message to the general court, dated June eighth, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 7. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section three of chapter four hundred and

seventy-one of the acts of the current year, to provide for a special capital outlay program for the commonwealth, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and fifty-seven, and the bonds which the state treasurer is authorized to issue under section four of said chapter four hundred and seventy-one, shall be issued for maximum terms of ten years, the initial maturities of which shall be payable not later than one year from their date of issue, and the entire issue not later than June thirtieth, nineteen hundred and sixty-nine, as recommended by the governor in a message to the general court, dated June eighth, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 8. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section two of chapter five hundred and seventy-five of the acts of the current year, authorizing the port of Boston commission to enter into a lease of the army base from the United States of America, shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from their date of issue, and the entire issue not later than June thirtieth, nineteen hundred and seventy-five, as recommended by the governor in a message to the general court, dated June eighth, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 9. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section two of chapter five hundred and eighty of the acts of the current year, providing additional funds to cover the cost of sewerage works within the south metropolitan sewerage district, shall be issued for maximum terms of thirty years, as recommended by the governor in a message to the general court, dated June eighth, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

Approved June 10, 1954.

Chap.683 AN ACT EXEMPTING FROM TAXATION CERTAIN REAL PROPERTY OF CERTAIN VETERANS AND OTHER PERSONS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide for an exemption from taxation of real property of certain veterans and other persons, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Twenty-second, as most recently amended by chapter 675 of the acts of 1951, and inserting in place thereof the following clause: —

G. L. (Ter. Ed.), 59, § 5, etc., amended.

Twenty-second, Real estate of the following classes of persons, excepting persons described in paragraph (a), who are legal residents of the commonwealth to the amount of two thousand dollars in the case of each person, and real estate of persons described in paragraph (a) who are legal residents of the commonwealth to the amount of three thousand dollars; provided, such real estate is occupied as a domicile by such person; and provided, further, that only three thousand dollars of the real estate of a soldier or sailor described in paragraph (a) and his wife, and only two thousand dollars of any other soldier or sailor and his wife shall be exempted; and provided, further, that the real estate of the person so exempted or the combined real estate of a soldier or sailor and his wife does not exceed eight thousand dollars, exclusive of the value of the mortgage interest held by persons other than the person to be exempted in such mortgaged real estate as may be included in said whole estate or combined property; but if, said whole estate or combined property of a soldier or sailor described in paragraph (a) and his wife being less than three thousand dollars, the sum total thereof and of such mortgage interest exceeds three thousand dollars, the amount so exempted shall be three thousand dollars, and if, said whole estate or combined property of any other soldier or sailor and his wife, being less than two thousand dollars, the sum total thereof and of such mortgage interest exceeds two thousand dollars, the amount so exempted shall be two thousand dollars:

Exemption from taxation of real property granted certain veterans and others.

(a) Persons who served in the armed forces of the United States, between February fifteenth, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two, between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen or were awarded the World War I Victory Medal, between September sixteenth, nineteen hundred and forty and December thirty-first, nineteen hundred and forty-six, or between June twenty-fifth, nineteen hundred and fifty and the termination of the Korean emergency as declared by proper federal authority and whose last discharge or release from the armed forces was under other than dishonorable conditions; and who were domiciled in Massachusetts for at least six months prior to entry into such service, or who have resided in the commonwealth for five consecutive years next prior to date of filing for exemption under this section, hereinafter referred to in clause Twenty-second as soldiers and sailors, who, by reason of injury received or disease contracted while in such service and in the line of duty, lost the sight of both

eyes or both arms. After the assessors have allowed exemption under this paragraph or paragraph (b), (f), (g) if it relates to widows, and (h), no further evidence of the existence of the facts required by this paragraph or by any of said paragraphs shall be required in any subsequent year in the city or town in which the exemption has been so allowed.

(b) Soldiers and sailors who, by reason of injury received or disease contracted while in such service and in line of duty, lost one foot at or above the ankle, or one or both hands.

(c) Soldiers and sailors, as defined in paragraph (a) who, as a result of disabilities contracted while in such service and in the line of duty, have a disability rating of ten per cent or more as determined by the veterans' administration.

(d) Soldiers and sailors, as defined in paragraph (a), who are not exempt under paragraph (a), (b) or (c) and who, as a result of disabilities contracted while in such service and in the line of duty, have become permanently incapacitated to an extent equivalent, in the judgment of the assessors, to the disability of soldiers and sailors having a disability rating of ten per cent or more as determined by the veterans' administration.

(e) Soldiers and sailors who served in the military or naval service of the United States in the war of the rebellion, in the Spanish War, in the Philippine Insurrection or in the Chinese Relief Expedition and were discharged or released in any manner other than dishonorably therefrom.

(f) Soldiers and sailors, as defined in paragraph (a), who have been awarded the decoration of the Purple Heart. No evidence of disability shall be required under this paragraph. After the assessors have allowed an exemption under this paragraph, no further evidence of the receiving of the Purple Heart shall be required in any subsequent year in the city or town in which the exemption has been so allowed.

(g) Wives of soldiers or sailors entitled to exemption under any of the foregoing paragraphs and the widows of soldiers or sailors, who at the time of their death were entitled to such exemption or who lost their lives while serving in any of said wars or in said insurrection or said relief expedition, so long as they remain unmarried.

(h) Fathers and mothers of soldiers or sailors, as defined in paragraph (a), and who lost their lives in such service; provided that only two thousand dollars of the real estate of any such father or mother held jointly by them shall be exempted; provided, further, that the words "father and mother", as appearing in this subsection, shall be construed to include natural fathers and mothers and father and mother by adoption and persons who stood in loco parentis to said soldiers and sailors.

SECTION 2. Section 5 of chapter 59 of the General Laws is hereby further amended by inserting after clause Twenty-second the following clause: —

Twenty-second A, Real estate of soldiers and sailors

described in paragraph (a) of clause Twenty-second who are legal residents of the commonwealth who according to the records of the veterans' administration or of the armed forces by reason of wartime service in the armed forces of the United States have suffered in line of duty the loss of both feet at or above the ankles to the amount of eight thousand dollars; provided, that such real estate is occupied as his domicile by such person; and provided, further, that if said property be greater than a single family house, then only that value of so much of said house as is occupied by such person as his domicile shall be exempt; and provided, further, that the real estate of the person so exempted or the combined real estate of such person and his wife does not exceed eight thousand dollars, exclusive of the value of the mortgage interest held by persons other than the person to be exempted in such mortgaged real estate as may be included in said whole estate or combined property; but if said whole estate or combined property of such soldier or sailor and his wife, being less than eight thousand dollars, the sum total thereof and of such mortgage interest exceeds eight thousand dollars, the amount so exempted shall be eight thousand dollars.

Same subject.

Two thousand dollars of this exemption shall be borne by the city or town as provided in clause Twenty-second. The balance, up to six thousand dollars, shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

SECTION 2A. Applications for abatement or exemption, as provided by clause Twenty-second of section five of chapter fifty-nine of the General Laws as existing prior to the effective date of this act, of taxes levied in the years nineteen hundred and fifty-two and nineteen hundred and fifty-three may be made not later than October first, nineteen hundred and fifty-four, notwithstanding any provision of law to the contrary.

Applications for abatement or exemption, regulated.

SECTION 3. This act shall be effective as of January first, nineteen hundred and fifty-four, and shall be applicable to the taxes levied in the year nineteen hundred and fifty-four and subsequent years.

Effective date. Application thereof.

Approved June 10, 1954.

AN ACT EXTENDING THE TIME FOR JOINING THE CONTRIBUTORY RETIREMENT SYSTEM. Chap. 684

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 32 of the General Laws is hereby amended by striking out subdivision (3), as most recently amended by section 1 of chapter 428 of the acts of 1952, and inserting in place thereof the following:—

G. L. (Ter. Ed.), 32, § 3, etc., amended.

(3) Notwithstanding his filing of a notice and waiver under paragraph (b) of subdivision (2) of this section, any employee who, having or having had the right to become a

Membership in the contributory

retirement
system,
regulated.

member, failed to become or elected not to become a member, may, not later than January first, nineteen hundred and fifty-six, or within one year from the last day of the period during which he had the opportunity to exercise said right, whichever is the later date, apply for and be admitted to membership if under the maximum age for his group on the date of his application; provided, that during his present period of service he had previously been eligible for membership; and any employee who, having had the right to become a member of any governmental unit other than that by which he is presently employed, and who failed to become or elected not to become a member, may apply for and be admitted to membership not later than January first, nineteen hundred and fifty-six. No employee shall otherwise be admitted to membership except by vote of the retirement board of the system for which application is made, and then only if that board finds that his failure to become or his election not to become a member was caused by circumstances other than those generally applicable to employees. No such member shall be entitled to full credit for service rendered prior to the date of his becoming a member unless before the date any retirement allowance becomes effective for him he shall have paid into the annuity savings fund of the system in one sum, or in instalments, upon such terms and conditions as the board may prescribe, make-up payments of an amount equal to that which would have been withheld as regular deductions from his regular compensation had he joined the system at his earliest opportunity, together with regular interest. Upon the completion of such make-up payments such member shall be entitled to all creditable service to which he would have been entitled had he joined the system when first eligible to become a member. In the event any retirement allowance becomes effective for him before the completion of such make-up payments, such member shall, in addition to credit for his actual membership service, be entitled to credit for that proportion of his service rendered prior to the date of his becoming a member which the total amount of his make-up payments actually made, together with regular interest thereon to the date his retirement allowance becomes effective, bears to the total amount of what his make-up payments, together with regular interest thereon to such latter date, would have been had he made payment thereof in one sum on such latter date.

G. L. (Ter.
Ed.), 32, § 3,
etc., further
amended.

SECTION 2. Subdivision (4) of section 3 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 505 of the acts of 1951, is hereby further amended by striking out, in line 18, the word "fifty-three" and inserting in place thereof the word: — fifty-six.

G. L. (Ter.
Ed.), 32, § 3,
etc., further
amended.

SECTION 3. The first sentence of subdivision (5) of section 3 of said chapter 32, as amended by section 1 of chapter 524 of the acts of 1952, is hereby further amended by striking out, in line 17, the word "fifty-three" and inserting in place thereof the word: — fifty-six.

SECTION 4. Paragraph (d) of subdivision (6) of section 3 of said chapter 32, as appearing in section 3 of chapter 403 of the acts of 1946, is hereby amended by striking out, in line 10, as amended by section 2 of chapter 524 of the acts of 1952, the word "fifty-three" and inserting in place thereof the word: — fifty-six.

G. L. (Ter. Ed.), 32, § 3, etc., further amended.

SECTION 5. Paragraph (b) of subdivision (8) of said section 3 of said chapter 32, as appearing in section 1 of chapter 658 of the acts of 1945, is hereby amended by striking out, in line 7, as amended by section 3 of chapter 524 of the acts of 1952, the word "fifty-three" and inserting in place thereof the word: — fifty-six.

G. L. (Ter. Ed.), 32, § 3, etc., further amended.

SECTION 6. Paragraph (c) of subdivision (2) of section 4 of said chapter 32, as appearing in section 5 of chapter 403 of the acts of 1946, is hereby amended by striking out, in lines 18 and 19, as amended by section 4 of chapter 524 of the acts of 1952, the word "fifty-three" and inserting in place thereof the word: — fifty-six.

G. L. (Ter. Ed.), 32, § 4, etc., amended.

SECTION 7. Notwithstanding the provisions of chapter five hundred and twenty of the acts of nineteen hundred and forty-seven, any employee of the city of Boston or of the county of Suffolk, who, on the effective date of this act is a member of the Boston retirement system established under chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, may become a member of the State-Boston retirement system by filing with the Boston retirement board, between October first and December thirty-first, both dates inclusive, in the year nineteen hundred and fifty-four, an application on a prescribed form for membership in the State-Boston retirement system. No person becoming a member of the State-Boston retirement system under this section shall be entitled to full credit for service rendered prior to the date of his becoming such member unless, prior to July first, nineteen hundred and fifty-five, or within such further time as the Boston retirement board, in the event of obvious hardship, may, in its discretion, allow, he shall have paid into the annuity savings fund of the State-Boston retirement system, in one sum, or in instalments upon such terms and conditions as said retirement board may prescribe, make-up payments of a sum equal to the difference between the contributions he has made to the Boston retirement system since January first, nineteen hundred and forty-seven, and the contributions he would have made had he joined the State-Boston retirement system on that date, together with regular interest thereon. Upon the completion of such make-up payments such member shall be entitled to all creditable service to which he would have been entitled had he joined the State-Boston retirement system when first eligible to become a member.

Transfer from Boston retirement system to State-Boston retirement system, how effected.

Notwithstanding the provisions of said chapter five hundred and twenty, any person who on February first, nineteen hundred and twenty-three, was, and continuously since

then has been, an employee as defined in paragraph (b) of section two of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, as amended by section five of chapter four hundred and nine of the acts of nineteen hundred and thirty-seven, and who on the effective date of this act is neither a member of the Boston retirement system nor a member of the State-Boston retirement system, may become a member of the State-Boston retirement system by filing with the Boston retirement board, between October first and December thirty-first, both dates inclusive, in the year nineteen hundred and fifty-four, an application on a prescribed form for membership in the State-Boston retirement system. No person becoming a member of the State-Boston retirement system under this section shall be entitled to full credit for service rendered prior to the date of his becoming such member unless, prior to January first, nineteen hundred and fifty-eight, or within such further time as the Boston retirement board, in the event of obvious hardship, may, in its discretion, allow, he shall have paid into the annuity savings fund of the State-Boston retirement system, in one sum, or in instalments upon such terms and conditions as said retirement board may prescribe, make-up payments in a sum equal to the aggregate of (a) the amount which, if he had become a member of the Boston retirement system on February first, nineteen hundred and twenty-three, his accumulated deductions would total at the time of his becoming a member of the State-Boston retirement system under this section, together with regular interest thereon from the date of his becoming a member of the State-Boston retirement system, and (b) the difference between the contributions he would have made to the Boston retirement system since January first, nineteen hundred and forty-seven, and the contributions he would have made had he joined the State-Boston retirement system on that date, together with regular interest on such difference. Upon the completion of such make-up payments such member shall be entitled to all creditable service to which he would have been entitled had he joined the State-Boston retirement system when first eligible to become a member.

In the event any retirement allowance becomes effective for any person becoming a member of the State-Boston retirement system under this section before the completion of the make-up payments prescribed by this section, such person shall, in addition to credit for his actual membership service, be entitled to credit for that proportion of his service rendered prior to the date of his becoming a member of the State-Boston retirement system which the total amount of his make-up payments actually made, exclusive of interest accruing thereon after the date of his becoming a member, bears to the total amount of what his make-up payments would have been had he made payment thereof in one sum on the date of his becoming a member.

Limitations.

SECTION 8. Nothing contained in this act other than in

section seven shall supersede the limitations of chapter five hundred and twenty of the acts of nineteen hundred and forty-seven or of chapter three hundred and fifty-five of the acts of nineteen hundred and fifty or of chapter three hundred and seventy-nine of the acts of nineteen hundred and fifty-two.

Approved June 10, 1954.

AN ACT RELATIVE TO THE COMMITMENT OF DEFECTIVE DELIN-
QUENT PERSONS.

Chap. 685

Be it enacted, etc., as follows:

SECTION 1. Chapter 123 of the General Laws is hereby amended by striking out section 113, as most recently amended by sections 2 and 3 of chapter 404 of the acts of 1954, and inserting in place thereof the following section: —

G. L. (Ter.
Ed.), 123,
§ 113, etc.,
amended.

Section 113. For the purposes of this section, the term "crimes which create a danger to life or limb" shall include crimes defined in sections thirteen through twenty-nine of chapter two hundred and sixty-five; sections one through five A, eleven through nineteen, one hundred and one, one hundred and two, and one hundred and seven of chapter two hundred and sixty-six; section thirty-four of chapter two hundred and seventy-two; and section six of chapter two hundred and seventy-four.

"Crimes which
create a danger
to life or limb",
defined.

At any time prior to the final disposition of a case in which a defendant over the age of fifteen is charged with a crime, other than murder, the commission of which creates a danger to life or limb, a district attorney may file an application for the commitment of such offender to a department for defective delinquents, established under sections one hundred and seventeen and one hundred and twenty-four.

Commitment
of defective
delinquent per-
sons, regulated.

Upon the filing of an application for commitment to a department for defective delinquents, the court shall cause such person to be committed for not more than thirty-five days' observation in a defective delinquent department, at which time such person shall be examined by two experts appointed by the commissioner of mental health with a view to determining whether or not he is mentally defective. Within thirty-five days, and after such observation and examination, the experts so appointed shall file a written report with the clerk of the court in which the case is pending, and the report shall be accessible to the probation officer, to the district attorney, and to the defendant and his attorney.

If, after such observation and examination, such person is found not to be mentally defective, he shall be returned to the court from which he was committed for observation, with a written report of the examination, for a different disposition of the case.

If a person is found to be mentally defective, the court shall give written notice to the person, and if such person is under the age of seventeen, shall also give notice to his parents, guardian or nearest relative that a hearing is to be

held for his commitment to a defective delinquent department.

If, after a hearing and examination of the record, character and personality of such person the court finds that such person has shown himself to be dangerous or shows a tendency toward becoming such, that such tendency is or may become a menace to the public, and that such person is not a proper subject for the school for the feeble minded or commitment as an insane person, the court shall make a report of the finding to the effect that the person is a defective delinquent and may commit him to a department for defective delinquents according to his age and sex, as hereinafter provided.

If a person has been committed as a defective delinquent in accordance with this section, such commitment shall be a final disposition of any criminal offence charged.

A person may appeal from the order of commitment as a defective delinquent to the superior court sitting for criminal business in the county from which he has been committed, in the manner provided by section twenty-two of chapter two hundred and twelve, but shall be held in an appropriate defective delinquent department to abide the final order of the court. If the appellant so requests, an issue or issues shall be framed and submitted to a jury in the superior court.

G. L. (Ter. Ed.), 120, § 14, etc., amended.

Commitment of certain defectives.

SECTION 2. Section 14 of chapter 120 of the General Laws, as appearing in section 22 of chapter 310 of the acts of 1948, is hereby amended by striking out, in lines 2 and 3, the words "or a defective delinquent", — so as to read as follows: — *Section 14.* Whenever the board finds that any person committed to it is insane or feeble minded, within the meaning of chapter one hundred and twenty-three, or a sexual psychopath, within the meaning of chapter one hundred and twenty-three A, the board may make application to the proper court, for a new commitment to the appropriate agency in accordance with law.

G. L. (Ter. Ed.), 123, § 66A, etc., amended.

Commitment of feeble minded persons to department, regulated.

SECTION 3. Chapter 123 of the General Laws is hereby amended by striking out section 66A, as amended by section 8 of chapter 194 of the acts of 1941, and inserting in place thereof the following section: — *Section 66A.* If an alleged feeble minded person is found, upon examination by a physician qualified as provided by section fifty-three, to be a proper subject for commitment, the judge of probate for the county in which such person resides or is found may upon application commit him to the custody or supervision of the department; but no person shall be so committed unless the approval of the department shall be filed with the application for his commitment. If he is committed to the custody or supervision of the department, the department shall thereafter have power, whenever advisable, to transfer him to a state school for the feeble minded. If the alleged feeble minded person is committed to the custody or supervision of the department of mental health, the said department may temporarily release him in the manner provided

by, and subject to, the provisions of section eighty-eight, or may discharge him under section eighty-nine.

SECTION 4. Section 89 of said chapter 123 is hereby amended by striking out the last sentence, as amended by chapter 571 of the acts of 1950, and inserting in place thereof the following sentence:— This section shall apply to any person committed to or admitted by any institution, school or hospital which is subject to this chapter, except that it shall not apply to a person committed by a court order under any provision of sections one hundred to one hundred and four, inclusive, except as otherwise provided in section one hundred and five.

Approved June 10, 1954.

G. L. (Ter. Ed.), 123, § 89, etc., amended.

Application of section.

AN ACT PROVIDING FOR THE CARE, COMMITMENT, TREATMENT AND REHABILITATION OF CERTAIN SEX OFFENDERS, AND VOLUNTARY CARE AND TREATMENT FOR VICTIMS OF SUCH OFFENDERS.

Chap. 686

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by striking out chapter 123A and inserting in place thereof the following new chapter:—

G. L. (Ter. Ed.), chapter 123A, amended.

CHAPTER 123A.

CARE, TREATMENT AND REHABILITATION OF SEXUAL OFFENDERS AND VICTIMS OF SUCH OFFENDERS.

Section 1. The words “sex offender” as used in this chapter shall have the following meaning:— Any person who by a course of misconduct in sexual matters has evidenced a general lack of power to control his sexual impulses, and who, as a result, is likely to attack or otherwise inflict injury, degradation, pain or other evil on the objects of his uncontrolled or uncontrollable desires.

“Sex offender”, defined.

Section 2. There is hereby established in the department of mental health, and subject to its jurisdiction, a treatment center, hereinafter called the center, for the care, treatment and rehabilitation of persons described in section one who have been convicted of one or more of the crimes described in section three.

Establishment of treatment center in department of mental health.

Section 3. Upon the conviction of a person for the crime of rape, carnal abuse of a child, sodomy, incest, lewd and lascivious conduct, unnatural act or indecent exposure, or an attempt to commit any such crime, the court may, prior to imposing sentence, commit him to the center established under section two for a period not exceeding sixty days, for the purpose of examination, diagnosis and special treatment, under the supervision of not less than two psychiatrists, who shall, within said period, file with the court from which such offender was committed a written report of the results of such examination, diagnosis and treatment.

Commitment of person convicted of certain sex crimes, regulated.

Section 4. If such report clearly indicates that such per-

Treatment and rehabilitation of convicted sex offenders, provided.

son is a sex offender as defined in section one, or that a pattern of repetitive compulsive or violent behavior exists, the court shall impose such sentence as is required by law for the original offence, and shall forward said report to the commissioner of correction, who shall thereupon transfer the prisoner from the institution to which he has been sentenced to the center, for the purpose of treatment and rehabilitation, but in no event for a period in excess of that provided by the sentence imposed upon him for the crime committed. Such offender shall be held in custody under the maximum security required by law for the crime of which he was convicted, but shall be entitled to such rights and privileges as are accorded to persons otherwise committed for the crime of which he was convicted, in so far as may be compatible with the treatment provided for by this chapter. Said offender may appeal within seven days from the findings of the report, and shall thereafter be entitled to a full hearing on the merits of such report. If such appeal is sustained and the court determines that the person is not a sexual offender as defined in this chapter, then the original sentence shall be carried out in the institution to which he has been committed.

Treatment and rehabilitation for certain convicted prisoners who appear to be sex offenders, provided.

Section 5. If a prisoner under sentence in any jail, house of correction or prison, or in the custody of the youth service board appears to be a sex offender and in need of the care and treatment provided for in the center established under section two, the master, superintendent or warden or the director of the youth service board shall report the condition to a justice of the superior court, who may commit said prisoner to the center, in accordance with the provisions of section three, and the provisions of section four shall apply in such case, in so far as applicable. If the report is in the affirmative, the presiding justice shall immediately send the report to the district attorney in whose jurisdiction the offence complained of was committed, or the jurisdiction in which the accused resides. It shall then be the duty of said district attorney to prepare immediately a petition setting forth the matters contained in the above report in a sufficient manner to enable the person complained of, his heirs or next of kin, to be reasonably informed of the nature of the petition for commitment to the center. The petition shall then be filed in the appropriate superior court, and the matter shall be set down for a speedy hearing. The court may, in its discretion, exclude the general public from attendance at such hearing. The person complained of may be represented by counsel, and if the court determines that he is financially unable to obtain counsel, the court shall appoint such counsel. The person complained of shall be entitled to have process issued out of the court to compel the attendance of witnesses in his behalf. The proceeding shall be reduced to writing, and, as provided in section fifty-seven of chapter one hundred and twenty-three, the judge, in his discretion, may provide for the determination of commitment to the

center by a jury. Upon such hearing, it shall be competent to introduce evidence of the person's past criminal record. If the person shall be adjudicated as suffering from a lack of control of his sexual impulses which is likely to cause him to attack or otherwise inflict injury, degradation, pain or other evil on the objects of his uncontrolled or uncontrollable desires, then the court shall commit such person to the department of mental health, to be placed by it in the center, and the department of mental health shall safely keep and treat the person so committed until his release shall have been ordered by proper authority.

Section 6. Any attorney interested in, or retained by or on behalf of any person committed to the center shall be admitted to visit such person at reasonable times, if in the opinion of the commissioner of mental health such visit would not be injurious to such person, or if a justice of the superior court first orders in writing that such visit shall be allowed.

Visits to committed persons by attorney, authorized.

Section 7. If six months prior to the termination of a sentence imposed on a sex offender who has been committed for treatment under this chapter, such offender is still receiving such treatment, he shall be returned to the court from which he was committed, and may, after a hearing at which he shall be entitled to be represented by counsel, be ordered discharged at the termination of his sentence, or required to receive further outpatient treatment at said center after the termination of his sentence.

Disposition of person committed for treatment, etc.

Section 8. Any person committed to the center after conviction and sentence shall be entitled to have a hearing for examination and discharge of such commitment once in every twelve months, upon the filing of a written petition by the committed person, his heirs, next of kin or any friend. A copy of said petition shall be sent to the district attorney for the district where the original proceedings were commenced within fourteen days. Said petition shall be filed in the appropriate superior court, and the court shall set a date for a speedy hearing and shall issue whatever process is necessary to assure the presence in court of the committed person. The hearing shall be conducted in the same manner as is provided for in previous sections. Upon a finding by the court or a verdict by the jury that such person is no longer a sex offender, then the court shall order the commitment of such person to the center to be discharged, and the person shall be returned to the prison from which he was transferred. If it shall be found that such person still requires treatment, then the court shall order that he continue to be held and further treated under the previous commitment. The department of mental health shall make periodic examinations every year of any persons committed under this chapter to the center, to determine the progress of cure, and shall give an annual report of such progress, if any, to the district attorney for the district from which the person was committed, and the superior court.

Petition for discharge of commitment, hearing, disposition, etc.

Admission to treatment center for certain persons, permitted.

Section 9. Any person believing himself to be suffering from a physical and mental condition which may result in sexual trends dangerous to the welfare of the public may make application to the department of mental health upon forms prescribed by said department for admission to the treatment center established by section two, and all information pertaining to this application shall be confidential. Subject to such rules and regulations and conditions relative to payment therefor, as the commissioner shall prescribe, persons may be admitted for examination, diagnosis and treatment to the center.

Treatment to victims of sex offenders, offered.

Section 10. In the discretion of the commissioner of mental health, all facilities of the center shall be available on a voluntary and confidential basis to persons who are victims of sex offenders.

Effective date.

SECTION 2. This act shall become operative on such date as the commissioner of mental health shall determine that the treatment center provided for in section two of chapter one hundred and twenty-three A of the General Laws is adequately staffed to carry out the purposes for which it is established.

Approved June 10, 1954.

Chap. 687 AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act, and for certain new activities and projects, the sums set forth in section two, for the particular purposes and subject to the conditions stated therein, are hereby appropriated from the general fund or ordinary revenue of the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and fifty-five, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

STATE PURPOSES APPROPRIATIONS.

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Legislature.

Senate.

Item	
0101-54	} From the amount appropriated in item 0101-54 of section two of chapter four hundred and fifty-three of the acts of the current year, the sum of four hundred dollars is hereby transferred and made available for the purposes of item 0101-03 of
0101-03	

Item

section two of said chapter four hundred and fifty-three.

- 0101-54 } From the amount appropriated in item
0101-04 } 0101-54 of section two of chapter four hundred and fifty-three of the acts of the current year, the sum of eight hundred dollars is hereby transferred and made available for the purposes of item 0101-04 of section two of said chapter four hundred and fifty-three.

House of Representatives.

- 0102-54 } From the amount appropriated in item
0102-03 } 0102-54 of section two of chapter four hundred and fifty-three of the acts of the current year, the sum of four hundred dollars is hereby transferred and made available for the purposes of item 0102-03 of section two of said chapter four hundred and fifty-three.

- 0102-54 } From the amount appropriated in item
0102-04 } 0102-54 of section two of chapter four hundred and fifty-three of the acts of the current year the sum of one thousand two hundred dollars is hereby transferred and made available for the purposes of the following item:

0102-04 For clerical assistance to the clerk of the house of representatives, including not more than four permanent positions

\$400 00

- 0102-60 Item 0102-60 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by adding at the end thereof the following: — prior appropriation continued

450 00

Sergeant-at-Arms.

- 0103-51 For contingent expenses of the senate and house of representatives and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, prior appropriation continued

\$800 00

Other Expenses.

- 0110-80 For travel and other expenses of a member of the committee on rules, to be designated by the speaker, to attend the Seventh Annual Legislative Service Conference of the Council of State Governments

\$500 00

Service of the Judiciary.

Supreme Judicial Court.

- 0301-11 For microphotographic copies of certain papers, as authorized by chapter four hundred and one of the acts of the current year, appropriation expires June thirtieth, nineteen hundred and fifty-six

\$11,000 00

Superior Court.

Item		
0305-02	Item 0305-02 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by adding at the end thereof the following:— prior appropriation continued	\$2,800 00
0305-04	For expenses authorized by section twenty-eight of chapter two hundred and twelve of the General Laws	540 00
0305-11	For compensation of justices of district courts while sitting in the superior court, prior appropriation continued	17,750 00
0305-12	For expenses of justices of district courts while sitting in the superior court, prior appropriation continued	3,400 00

District Attorneys.

0350-01	Item 0350-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following:— For the salaries of the district attorney and assistants for the Suffolk district, including not more than fifteen permanent positions	\$5,500 00
0352-01	For the salaries of the district attorney and assistants for the eastern district, including not more than five permanent positions	1,000 00

Service of the Executive Department.*Civil Defense Agency.*

0406-01	For the service of the civil defense agency, as authorized by chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty and chapter five hundred and twenty-two of the acts of nineteen hundred and fifty-one as further amended by chapter four hundred and ninety-one of the acts of nineteen hundred and fifty-three	\$53,280 00
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Boards and Commissions serving under Governor and Council.*Commission on Administration and Finance.*

0441-03	Item 0441-03 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by adding at the end thereof the following:— prior appropriation continued	\$6,500 00
0443-01	Item 0443-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following:— For the bureau of the budget commissioner, including not more than eleven permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of fifteen thousand two hundred and forty dollars from the Highway Fund	17,000 00

Item		
0444-01	Item 0444-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: — For the bureau of the purchasing agent, including not more than seventy-two permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of fifty-nine thousand seven hundred and fifty-six dollars from the Highway Fund	\$5,000 00
0445-01	Item 0445-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: — For the division of personnel and standardization, including not more than forty permanent positions and including as permanent the present incumbents appointed on requisition number 47093 and requisition number 45391 notwithstanding the provision of any other law to the contrary; provided, that the comptroller shall transfer to the General Fund the sum of forty-four thousand one hundred and two dollars from the Highway Fund.	
0446-01	Item 0446-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: — For the division of building construction, including not more than thirty-seven permanent positions; provided, that the incumbent of the position on requisition number 35025 shall be transferred to the division upon the effective date of this act and shall be deemed to be permanently employed as general construction inspector under chapter thirty-one of the General Laws without being required to serve any probationary period	10,952 00
	<i>State Superintendent of Buildings.</i>	
0450-22	For certain repairs and improvements to the Bulfinch front of the state house	\$10,000 00
	<i>Mount Greylock Reservation Commission.</i>	
0466-21	For certain repairs to the Mount Greylock war memorial, prior appropriation continued	\$8,300 00
	<i>Weather Amendment Board.</i>	
0470-01	For expenses of the board, as authorized by chapter five hundred and eleven of the acts of nineteen hundred and fifty-one	\$100 00
Service of the Secretary of the Commonwealth.		
0501-02	For the office of the secretary, including not more than seventy-four permanent positions	\$1,000 00

Service of the Department of Agriculture.*Division of Livestock Disease Control.*

Item		
0907-07	For reimbursement of owners of tubercular cattle killed, as authorized by section twelve A of chapter one hundred and twenty-nine of the General Laws and in accordance with certain provisions of law and agreements made under authority of section thirty-three of said chapter one hundred and twenty-nine, prior appropriation continued	\$10,000 00

State Reclamation Board.

0910-21	For the control of the greenhead fly, as authorized by chapter three hundred and eighty-eight of the acts of the current year	\$2,500 00
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Service of the Department of Natural Resources.*Division of Forests and Parks.*

1002-14	For the expenses of forest fire patrol, as authorized by section twenty-eight A of chapter forty-eight of the General Laws	\$11,900 00
1002-31	For the suppression of insect pests and shade tree diseases, including gypsy and brown tail moths and Japanese beetles under any general or special law, and including not more than seven permanent positions, prior appropriation continued	58,450 00

Division of Law Enforcement.

1003-02	For the administration and enforcement of laws relative to shellfish and other marine fisheries, and for regulating the sale and cold storage of fresh food fish, including not more than twenty-six permanent positions	\$17,625 00
1003-03	For conservation officers, including not more than thirty-nine permanent positions; provided, that the comptroller shall transfer to the General Fund a sum equal to fifty per cent of the payments made under this item from the Inland Fisheries and Game Fund, as provided by section three A of chapter one hundred and thirty-one of the General Laws	20,000 00

Division of Marine Fisheries.

1004-70	Item 1004-70 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: — For the service of the office of the director, including not more than eleven permanent positions, and for the administration of the activities provided for under items 2610-04 and 2610-05 of section two of chapter four hundred and fifty-three of the acts of the current year	\$2,040 00
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Service of the Department of Corporations and Taxation.

Item		
1201-02 } 1202-03 }	From the amount appropriated in item 1201-02 of section two of chapter four hundred and fifty-three of the acts of the current year, the sum of thirty-five thousand dollars is hereby transferred and made available for the purposes of item 1202-03 of section two of chapter two hundred and sixty-three of the acts of the current year, and said item 1202-03 is hereby amended in line one by inserting after the word "purchase" the following: — or rental.	
1201-03	Item 1201-03 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: — For expenses of the department except as otherwise provided for; provided, that the comptroller shall transfer to the General Fund the sum of twenty-six thousand eight hundred and fifty-three dollars from the Highway Fund	\$7,500 00

Service of the Department of Education.

1301-02	For the office of the commissioner, including not more than sixty-five permanent positions	\$34,560 00
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Division of the Blind.

1317-28	For the promotion of vocational rehabilitation of the blind in co-operation with the federal government	\$7,000 00
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For the maintenance of and for certain improvements at the following state teachers' colleges, and the boarding halls attached thereto, with the approval of the commissioner of education:

1330-21	State teachers' college at Bridgewater, boarding hall, including not more than thirty-two permanent positions	1,500 00
1330-22	For the renovation of the steam distribution system, prior appropriation continued, appropriation expires June thirtieth, nineteen hundred and fifty-six	16,000 00
1331-01	State teachers' college at Fitchburg, including not more than eighty permanent positions	8,500 00
1333-01	State teachers' college at Lowell, including not more than fifty-six permanent positions	2,460 00
1335-01	State teachers' college at Salem, including not more than sixty-one permanent positions	40,000 00
1338-01	State teachers' college at Boston, including not more than seventy-two permanent positions	2,000 00

Item		
	<i>For the maintenance of and for certain improvements at the following institutes, with the approval of the commissioner of education and the trustees thereof:</i>	
1340-21	For the fiftieth anniversary celebration at the Bradford Durfee technical institute in Fall River	\$1,000 00
	<i>Lowell Technological Institute of Massachusetts.</i>	
1345-01	For the maintenance of the Lowell Technological Institute of Massachusetts, with the approval of the trustees, including not more than one hundred and thirty-four permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Lowell as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and fifty-four; provided, that said institute is hereby authorized to conduct a summer school at no expense to the commonwealth, and for said purpose the institute may receive and expend income derived therefrom	\$17,000 00
	<i>University of Massachusetts.</i>	
1350-01	For the maintenance of the University of Massachusetts, with the approval of the trustees, including not more than eight hundred and ninety-five permanent positions; provided, that notwithstanding the limitation of section four of chapter seven hundred and fifteen of the acts of nineteen hundred and fifty-one and chapter four hundred and seven of the acts of the current year, authorization is hereby granted to allow payment from this account of the increase provided under said chapter seven hundred and fifteen to all employees at the University of Massachusetts classified under sections forty-five to fifty, inclusive, of chapter thirty of the General Laws, as amended	\$10,000 00
	<i>Youth Service Board.</i>	
1380-01	Item 1380-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: — For administration of the youth service board, as authorized by chapter six hundred and five of the acts of nineteen hundred and fifty-two, including not more than sixty-seven permanent positions; provided, that notwithstanding the provision of any other law to the contrary, the incumbent appointed on personnel requisition number 06323 shall be the permanent incumbent of the position of supervisor of community organization and the incumbent appointed on personnel requisition number 40616 shall be deemed perma-	

Item

nently appointed as visitor and guardian to older boys, under chapter thirty-one of the General Laws subject to passing a qualifying examination

\$4,800 00

For the maintenance of and for certain improvements at the institutions under the control of the youth service board, with the approval of said board; provided, that permanent employees in the farm quotas of said institutions whose positions were abolished as of June thirtieth, nineteen hundred and fifty-three, shall be transferred to positions in the service of the commonwealth of equal or lower grade, as established by the division of personnel, regardless of whether or not the title is similar, upon request of the appointing authority of the department to which the employee is to be transferred and with the consent of the employee. Such transfer shall be without loss of seniority, retirement, civil service or other rights:

1382-01 Industrial school for girls, including not more than fifty-six permanent positions

9,500 00

1384-01 Item 1384-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended in line two by striking out the word "six" and inserting in place thereof the word: — seven.

Service of the Department of Civil Service and Registration.

Division of Registration.

For the service of the following agencies in the division:

1409-01 Board of registration in embalming and funeral directing, including not more than three permanent positions

\$4,500 00

Service of the Department of Commerce.

1551-44 For the commonwealth's share of the expenses of the New England textile committee

\$2,275 00

1551-45 For the commonwealth's share of the expenses of the New England regional atomic energy committee

2,500 00

Service of the Department of Labor and Industries.

Division of Industrial Accidents.

1651-02 For the service of the board, including not more than one hundred and twenty-five permanent positions; provided, that notwithstanding the provisions of chapter six hundred and thirty of the acts of nineteen hundred and fifty-two, the board shall provide such clerical service from time to time as may be required by the Massachusetts rehabilitation commission

\$7,500 00

Service of the Department of Mental Health.

Item		
	<i>For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:</i>	
1716-21	For certain additions and alterations to the kitchen, including the cost of furnishings and equipment, prior appropriation continued	\$9,500 00
1722-21	For the construction and equipment of a playground at the Children's Colony, prior appropriation continued	9,500 00
1723-24	For certain power plant improvements and equipment, to be in addition to the amount appropriated in item 7917-02 of section two of chapter three hundred and nine of the acts of nineteen hundred and forty-nine	5,400 00
1724-00	Item 1724-00 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: — Walter E. Fernald state school, including not more than seven hundred and fifty-nine permanent positions, and including as permanent the present incumbent appointed on requisition number 46477 notwithstanding the provision of any other law to the contrary, and including a claim of a certain retired employee for salary earned but not paid while holding the position of housekeeper, not to exceed the total of thirty-four dollars and sixty-one cents.	
1727-00	Cushing Hospital, provided that the property is accepted by the commonwealth, for the purpose of caring for elderly persons as authorized by chapter four hundred and sixty-nine of the acts of the current year	200,000 00

Service of the Department of Correction.

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:

- 1814-01 Item 1814-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by adding at the end thereof the following: — and including claims of certain employees for salary earned but not paid during the fiscal year nineteen hundred and fifty, not to exceed the total of three hundred and thirty-one dollars and sixty-one cents.

Service of the Department of Public Welfare.

Tewksbury State Hospital and Infirmary.

- 1919-00 For the maintenance of the Tewksbury state hospital and infirmary, including not more than seven hundred and seven permanent positions
- \$20,000 00

Service of the Department of Public Health.

Bureau of Preventive Medicine.

Item		
2020-01	For the service of the division of preventive medicine, including not more than fifty-two permanent positions	\$9,000 00
2020-15	This item included in item 2020-50.	
2020-50	For the commonwealth's share of the operation of certain rheumatic fever clinics	6,750 00

Service of the Department of Public Safety.

Division of Fire Prevention.

2103-01	For the fire prevention service, including not more than twenty-five permanent positions	\$1,000 00
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Service of the Department of Public Works.

Division of Waterways.

2202-06	For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions	\$1,000 00
2220-42	For certain additional repairs at the state fish pier, Gloucester Harbor, as authorized by chapter four hundred and eighty of the acts of the current year, to be in addition to the balance available in item 2220-42 of section two of chapter eight hundred and six of the acts of nineteen hundred and fifty-one	40,000 00

Service of the Department of Public Utilities.

2301-09	For hearings and special investigations; provided, that no salaries or expenses of permanent employees shall be chargeable to this item	\$6,500 00
2301-25	For an investigation and study of certain gas contracts	25,000 00

APPROPRIATIONS MADE FROM THE HIGHWAY FUND.

Service of the Department of Public Works.

Highway Activities.

Expenditures made from the following appropriations for highway activities shall be coded according to the manual entitled "Subsidiary Accounts and Expenditure Code Numbers" approved by the Joint Committee on Ways and Means on March second, nineteen hundred and fifty-four:

2900-25	For the construction of a certain footbridge at Beaver Street, Revere, as authorized by chapter two hundred and six of the acts of the current year	\$65,000 00
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- Item
2900-61 Item 2900-61 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by adding at the end thereof the following:—, and including the expenditure authorized by chapter four hundred and seventy-six of the acts of the current year.

Service of the Registry of Motor Vehicles.

- 2924-01 Item 2924-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following:—

For the service of the registry, including not more than eight hundred and thirty-two permanent positions, and to authorize charging against this appropriation a shortage in the amount of one thousand three hundred and twenty-seven dollars and forty-seven cents, determined by the auditor of the commonwealth to be the net shortage in the "over and short account" for the period from January first, nineteen hundred and thirty-nine, to July first, nineteen hundred and fifty-three, and including a certain claim of Therese A. Murphy Yardumian, junior clerk and typist, for the years nineteen hundred and forty-nine, nineteen hundred and fifty and nineteen hundred and fifty-one, not to exceed three hundred and seventeen dollars and ten cents.

Service of the Department of Public Safety.

Division of State Police.

- 2926-01 Item 2926-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following:—

For the service of the division, including not more than five hundred and thirty-four permanent positions

\$27,870 00

APPROPRIATIONS MADE FROM THE INLAND FISHERIES AND GAME FUND.

Service of the Department of Natural Resources.

Division of Fisheries and Game. (It is hereby provided that federal funds received as reimbursements under the following items are to be credited as income to the Inland Fisheries and Game Fund):

- 3304-01 For the service of the division, including not more than ten permanent positions

\$3,120 00

- 3304-45 For the establishment and maintenance of public fishing grounds, including not more than one permanent position; provided, that none of the money appropriated under this item shall be used for the purchase of land

3,120 00

APPROPRIATIONS MADE FROM THE VETERANS' SERVICES FUND.

Miscellaneous.

Item		
3530-14	For the representation of the commonwealth at the convention of the Army and Navy Union, as authorized by chapter three of the resolves of the current year	\$2,000 00
3530-22	For the representation of the commonwealth at the convention of the Forty-second Infantry Rainbow Division, as authorized by chapter four of the resolves of the current year	1,000 00
3530-23	For the representation of the commonwealth at the convention of the Disabled American Veterans, as authorized by chapter forty-two of the resolves of the current year	1,000 00

APPROPRIATION PAYABLE FROM THE AGRICULTURAL PURPOSES FUND.

Service of the Department of Agriculture.

Division of Plant Pest Control and Fairs.

3809-21	For state prizes and agricultural exhibits, including allotment of funds for the 4-H activities, including not more than one permanent position	\$5,000 00
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APPROPRIATIONS PAYABLE FROM THE PARKS AND SALISBURY BEACH RESERVATION FUND.

Service of the Department of Natural Resources.

Division of Forests and Parks.

4010-03	For certain repairs and improvements in the October Mountain state forest	\$15,000 00
4010-21	For certain improvements to recreation areas and trails in the Pittsfield state forest, prior appropriation continued	6,500 00

APPROPRIATIONS PAYABLE FROM THE METROPOLITAN DISTRICT COMMISSION FUNDS.

The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:

Metropolitan Parks, General.

8601-30	For the construction of a footbridge as a means of access for the residents of the city of Newton to the swimming pool authorized by chapter seven hundred and fifty-one of the acts of nineteen hundred and fifty, appropriation expires on June thirtieth, nineteen hundred and fifty-six	\$50,000 00
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Item		
8602-39	For certain improvements to the Furnace Brook drainage system in the vicinity of Hancock Street, Quincy	\$25,000 00

Metropolitan Water System.

8902-21	} From the balance remaining in item 8902-21 of section two of chapter six hundred and thirty-two of the acts of nineteen hundred and fifty-two, the sum of eighteen thousand eight hundred dollars is hereby transferred and made available for the purposes of the following item: —	8902-58
8902-58		} For certain repairs to the Spot Pond pumping station.

LOCAL AID APPROPRIATIONS.

(Note item numbers for Local Aid appropriations changed from House, No. 1.)

The following appropriations are for reimbursements and grants to local governments:

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Service of the Department of Education.

School Lunch and Commodity Distribution Program.

2613-09	Item 2613-09 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by adding at the end thereof the following: — , prior appropriation continued.
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DEBT SERVICE APPROPRIATIONS.

(Note item numbers for Debt Service appropriations changed from House, No. 1.)

APPROPRIATIONS MADE FROM THE GENERAL FUND.

Interest and Redemption of Debt.

2420-00	} From the amount appropriated in item 2420-00 of section two of chapter four hundred and fifty-three of the acts of the current year, the sum of eighty-five thousand dollars is hereby transferred and made available for the purposes of section eleven of said chapter four hundred and fifty-three.	Sect. 11
Sect. 11		

MISCELLANEOUS.

0102-56	For expenses of the house committee on ways and means, prior appropriation continued.	\$9,000 00
0110-11	For the compilation, indexing, printing, and distribution of veterans' laws subject to the joint committee on rules as provided by a joint order	2,500 00

Item		
0110-52	For expenses of the committee on judiciary in its investigation and study and for the committee sitting as a special committee to review the recommendations of the commissioners established by chapter ninety-four of the resolves of nineteen hundred and forty-eight, as authorized by joint orders of the general court	\$10,000 00
0239-00	For the continuation of an investigation and study by the special commission on taxation, as authorized by chapter ninety-three of the resolves of the current year	10,000 00
0241-00	For an investigation and study relative to the state teachers' colleges, as authorized by chapter sixty-four of the resolves of the current year, prior appropriation continued	11,000 00
0242-00	For an investigation and study of fire protection for homes and institutions for the sick and aged, as authorized by chapter eighty-eight of the resolves of the current year	3,000 00
0243-00	For an investigation and study of the penal institutions of the commonwealth, as authorized by chapter eighty-one of the resolves of the current year	1,000 00
0245-00	For an investigation and study relative to training facilities for retarded children, as authorized by chapter one hundred and ten of the resolves of the current year	3,000 00
0246-00	For the further continuation of the investigation of the prevention of child delinquency, as authorized by chapter eighty-four of the resolves of the current year	3,000 00
0253-00	For a further investigation and study of high blood pressure, as authorized by chapter one hundred and thirteen of the resolves of the current year	3,500 00
0255-01	For an investigation and study of the budget laws of cities, as authorized by chapter one hundred and seven of the resolves of the current year	1,000 00
0255-02	For an investigation and study of the feasibility of erecting a memorial in honor of Maurice J. Tobin, as authorized by chapter ninety-five of the resolves of the current year	500 00
0255-03	For an investigation and study relative to the erection of a steel mill and aluminum mill within the commonwealth, as authorized by chapter one hundred and fifteen of the resolves of the current year	5,000 00
0255-04	For an investigation and study relative to the development of a certain area of the Back Bay section of Boston, as authorized by chapter ninety-eight of the resolves of the current year	1,000 00
0255-05	For an investigation and study of the laws relating to planning, zoning and subdivision control, and problems connected therewith, as authorized by chapter ninety-seven of the resolves of the current year	500 00
0255-06	For an investigation and study of the method of committing persons to mental hospitals and the care, treatment, and release or dis-	

Item		
	charge of the same, as authorized by chapter one hundred and eight of the resolves of the current year	\$500 00
0255-07	For a certain study by the committee on transportation, as authorized by chapter one hundred and nine of the resolves of the current year	1,000 00
0267-00	For an investigation and study of the retirement laws, as authorized by chapter one hundred and twenty-four of the resolves of the current year	10,000 00
0275-00	For an investigation and study of the existence and extent of organized crime and gambling within the commonwealth, as authorized by chapter eighty of the resolves of the current year	10,000 00
0298-00	For an investigation and study of communism in the commonwealth, as authorized by chapter one hundred and twenty-three of the resolves of the current year	25,000 00
0299-00	For an investigation and study of fiscal practices and policies of the commonwealth, as authorized by chapters twenty and ninety of the resolves of the current year	25,000 00
0420-01	For the salary of the adjutant general	356 00
0421-01	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general	4,500 00
0421-13	Item 0421-13 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out, in line 2, the word "five" and inserting in place thereof the word: — six	6,747 00
0421-21	For the service of the air national guard	888 00
0421-50 }	From the amount appropriated in item	
0420-02 }	0421-50 of section two of chapter four hundred and fifty-three of the acts of the current year, the sum of six thousand eight hundred dollars is hereby transferred and made available for the purposes of item 0420-02 of said section two of said chapter four hundred and fifty-three, and said item 0420-02 is hereby amended by striking out, in line 2, the word "thirty-two" and inserting in place thereof the word: — thirty-three	6,276 00
0450-01	Item 0450-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by adding after the word "positions", in line 2, the following: — ; provided, that notwithstanding the provision of any other law to the contrary, the incumbent appointed on personnel requisition number 48721 shall be the permanent incumbent of the position of assistant superintendent of buildings under chapter thirty-one of the General Laws subject to passing a qualifying examination.	
0465-01	For expenses of the council for the aging, as authorized by chapter five hundred and thirty-seven of the acts of the current year	7,500 00
0492-01	For the service of the state airport management board, as authorized by chapter six hundred and thirty-seven of the acts of	

Item		
	nineteen hundred and forty-eight, including not more than nine permanent positions	\$5,460 00
0492-10	For the acquisition of certain land, as authorized by chapter six hundred and thirteen of the acts of the current year	7,000 00
0801-02	For the office of the attorney general, including not more than forty-one permanent positions	17,500 00
0906-01	For the service of the commission, including not more than thirty-four permanent positions; provided, that permanent civil service employees of the milk control commission may be transferred to positions in the service of the commonwealth of equal or lower grade, as established by the division of personnel, regardless of whether or not the title is similar, upon request of the appointing authority of the department to which the employee is to be transferred and with the consent of the employee. Such transfer shall be without loss of seniority, retirement or other rights	1,500 00
0907-11	For certain claims, as authorized by chapter fifty of the resolves of the current year	9,710 00
1102-01	For the office of the supervisor of loan agencies, including not more than nine permanent positions	1,000 00
1402-02	For the service of the division, including not more than two hundred and one permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and twenty thousand eight hundred and seventy dollars from the Highway Fund	5,000 00
1551-01	For the service of the department, including not more than twenty-seven permanent positions, prior appropriation continued	15,000 00
1601-01	Item 1601-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: — For general administration and for the division of employment of the aging, as authorized by chapter five hundred and seventy-eight of the acts of the current year, including not more than thirteen permanent positions	3,000 00
1701-03	For therapy treatment of sexual offenders including those now incarcerated in institutions of the department of correction or youth service board and for out-patient service connected therewith; provided, that the commissioner, in co-operation with the director of building construction, shall develop plans for the establishment of permanent facilities to provide for the confinement, care, treatment and rehabilitation of such offenders	49,860 00
1713-00	Item 1713-00 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by adding at the end the following: — , and including a certain sum of thirteen dollars and eighty	

Item		
	cents determined by the office of the attorney general to be uncollectible.	
1805-01	Item 1805-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out, in line 2, the word "thirty-nine" and inserting in place thereof the following: —	
	forty	\$4,260 00
2001-22	For a program of pre-school assistance for hard-of-hearing children	20,260 00
2015-26	For certain studies, as authorized by chapters forty-nine, fifty-five, sixty-five, sixty-six, sixty-seven, and eighty-nine of the resolves of the current year	15,000 00
2102-04	For expert assistance to the commissioner, and for maintenance of laboratories, including not more than ten permanent positions	5,000 00
2220-43	For an investigation and engineering study of flood control measures to protect the city of Peabody and the surrounding area from a recurrence of flood conditions	25,000 00
2220-53	For an investigation and study relative to the drainage system of the Miles River in the vicinity of the town of Hamilton	1,500 00
2220-54	For an investigation and study of the feasibility of draining certain lands, as authorized by chapter eighty-two of the resolves of the current year	2,000 00
2220-55	For an investigation and study of the feasibility of draining certain swamp lands, as authorized by chapter seventy-four of the resolves of the current year	2,000 00
2620-01 } Sect. 11 }	From the amount appropriated in item 2620-01 of section two of chapter four hundred and fifty-three of the acts of the current year, the sum of thirty thousand dollars is hereby transferred and made available for the purposes of section eleven of said chapter four hundred and fifty-three.	
2820-03	For certain claims and other payments, as authorized by chapters thirty-three and seventy of the resolves of the current year	1,250 00
2841-01	For the preliminary expenses of the Mount Greylock Tramway Authority, authorized by chapter six hundred and six of the acts of nineteen hundred and fifty-three, to be in addition to the sum of ten thousand dollars appropriated in section seventeen of said chapter six hundred and six; provided, that all funds so paid shall be reimbursed by the Authority to the commonwealth out of the proceeds of any revenue bonds issued under the provisions of said chapter six hundred and six	10,000 00
2900-08	Item 2900-08 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by inserting after the word "highways" the following: — and town roads.	
3501-02	Item 3501-02 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out, in line 2, the word "seventy-three"	

Item

	and inserting in place thereof the word: — seventy-four.	
3530-24	For the representation of the commonwealth at the convention of the American Veterans of World War II, AMVETS, as authorized by chapter eighty-three of the resolves of the current year, for the fiscal year nineteen hundred and fifty-five and the previous year	\$1,000 00
4010-15	For the purchase of certain land in the town of Edgartown, as authorized by chapter six hundred and thirty-one of the acts of the current year	32,000 00
8601-31	For the improvement of the drainage system to Furnace Brook and land adjacent thereto in the vicinity of Adams Street in the city of Quincy	50,000 00
8601-32	For certain improvements to the recreation area authorized to be acquired by the Metropolitan District Commission under the provisions of chapter six hundred and twenty-six of the acts of the current year, appropriation expires June thirtieth, nineteen hundred and fifty-six	125,000 00
8602-74 }	From the balance remaining in item 8602-74 of section two of chapter eight hundred and twenty-five of the acts of nineteen hundred and fifty, the sum of thirty-five thousand dollars is hereby transferred and made available for the purposes of item 8602-38 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three, prior appropriation continued, appropriation expires June thirtieth, nineteen hundred and fifty-six.	
8602-38 }		
8902-71	Item 8902-71 of section two of chapter three hundred and ten of the acts of nineteen hundred and fifty-two is hereby amended by striking out the wording and inserting in place thereof the following: — For an engineering study of the drainage systems in the Spot Pond area, including areas in the towns of Stoneham and Wakefield and in the cities of Malden, Medford and Melrose, and including the Linden area, so-called, in Malden along the Saugus branch brook, and for certain improvements to said drainage systems, prior appropriation continued, appropriation expires June thirtieth, nineteen hundred and fifty-six	10,000 00
0101-07	For clerical and other assistance to the senate committee on rules, including not more than seven permanent positions; provided, that notwithstanding any provision of law to the contrary, the present clerk of the senate committee on rules may continue to serve in said office subject to the will of the senate	1,700 00
0104-01	For personal services and other expenses of the Legislative Research Council and the Legislative Research Bureau, as authorized by chapter six hundred and seven of the acts of the current year	32,500 00

Item		
0110-63	For certain travel expenses of the committee on public welfare, as authorized by a joint order of the general court	\$1,000 00
0255-08	For an investigation and study of the laws relating to industrial homework, as authorized by chapter one hundred of the resolves of the current year	500 00
0293-00	For an investigation and study relative to establishing the uniform commercial code, as authorized by chapter one hundred and twenty-one of the resolves of the current year	1,500 00
0406-07	For matching certain funds allocated to the state civil defense program by the federal civil defense administration, prior appropriation continued	5,000 00
2024-00	Item 2024-00 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —	
	2024-00 Rutland state sanatorium, including not more than two hundred and forty-nine permanent positions.	
2220-56	For certain improvements to the Grand View area, Province Lands, in Provincetown	10,000 00
2220-57	For the commonwealth's share of a survey by the department, in co-operation with the Beach Erosion Board, of Stage Harbor in Chatham	12,500 00
2900-02	Item 2900-02 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by inserting after the word "examination" the following: — ; and, further provided, that the incumbent on requisition number 47728 shall have permanent status under chapter thirty-one of the General Laws subject to his passing a qualifying examination; and said item 2900-02 is hereby further amended by striking out the word "ninety-four" and inserting in place thereof the word: — ninety-five.	
2931-06	Item 2931-06 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —	
	For the maintenance of boulevards and parkways, including the installation of traffic lights and including Bunker Hill and the property adjacent, and for the maintenance of parks reservations and the Charles River basin, including the retirement of metropolitan police and veterans under the provisions of the General Laws, and including not more than nine hundred and fourteen permanent positions; provided, that the incumbent on requisition number 29563 shall have permanent status under chapter thirty-one of the General Laws subject to his passing a qualifying examination; and, further provided, that the comptroller shall transfer to the Highway Fund proportions of payments made under	

Item		
	this item, as provided by section fifty-five of chapter ninety-two of the General Laws.	
3530-25	For the representation of the commonwealth at the convention of the Army and Navy Legion of Valor of the United States, as authorized by chapter ninety-six of the resolves of the current year; appropriation expires June thirtieth, nineteen hundred and fifty-six	\$2,000 00
8702-10	For the payment to Percival H. Mosher, as authorized by chapter one hundred and one of the resolves of the current year, provided that a sum equal to the payments under this item shall be assessed upon the north and south metropolitan sewerage districts according to methods fixed by law	1,500 00
0101-06	For personal services of the counsel to the senate and assistants, including not more than four permanent positions; provided, that notwithstanding any provisions of law to the contrary, the present counsel to the senate may continue to serve in said office subject to the will of the senate	240 00
0102-06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	960 00
0102-07	For clerical and other assistance to the house committee on rules, including not more than seven permanent positions	2,180 00
0110-04	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including not more than two permanent positions	740 00
0255-10	For an investigation and study of the problems of farm taxation, as authorized by chapter one hundred and twenty of the resolves of the current year	500 00
0110-43	For expenses of the committee on civil service in its investigation and study of civil service problems, as authorized by a joint order of the general court	1,000 00
0110-45	For an investigation and study relative to workmen's compensation, as authorized by a joint order of the general court	10,000 00
0296-00	For an investigation and study of certain provisions of insurance laws, as authorized by chapter one hundred and twenty-two of the resolves of the current year	1,500 00
0255-11	For an investigation and study relative to the training of medical laboratory technologists, as authorized by chapter one hundred and nineteen of the resolves of the current year	500 00
0901-01	For the salary of the commissioner	2,000 00
0901-02	For the office of the commissioner, including not more than twenty-six permanent positions	7,500 00
0901-11	Item 0901-11 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: — For expenses of the board of agriculture	370 00

Item

0475-01	For the service of the motor vehicle board of appeals, as authorized by chapter six hundred and seventy-four of the acts of the current year; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the Highway Fund	\$15,000 00
2940-04	For a certain payment, as authorized by chapter one hundred and sixteen of the resolves of the current year, for the year nineteen hundred and fifty-five and the previous year	1,300 00
0321-01	Item 0321-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by adding after the word "probate" the words:— , prior appropriation continued.	
0330-01	Item 0330-01 of section two of chapter four hundred and fifty-three of the acts of the current year is hereby amended by adding after the word "probate" the words:— , prior appropriation continued.	

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

2899-00	General Fund	\$3,268 00
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SECTION 2A. Section two A of chapter four hundred and fifty-three of the acts of the current year is hereby amended by adding at the end the following item numbers:

0110-17	2031-21	8602-02	8602-47
0110-20	2220-27	8602-04	8602-49
1301-31	2820-09	8602-08	8602-55
1330-23	2820-15	8602-09	8602-56
1331-22	2926-07	8602-10	8602-57
1331-23	2931-11	8602-11	8602-58
1335-21	2931-14	8602-12	8602-61
1383-21	2931-21	8602-14	8602-63
1701-10	2931-22	8602-15	8602-68
1814-21	2931-23	8602-17	8602-79
1814-22	2931-25	8602-25	8602-96
1818-22	2931-52	8602-28	8702-21
1918-21	2931-53	8602-29	8702-22
1919-28	2931-74	8602-35	8702-23
2022-21	3145-01	8602-36	8902-30
2022-22	8601-25	8602-41	8902-33
2024-21	8601-26	8602-42	8902-77
2025-21	8602-01	8602-45	8902-78

SECTION 3. Wherever, in section two of this act, it is provided that transfers shall be made from a fund, account or receipts, of a specific sum, a percentage of payments, or a sum equivalent to payments, such transfers of a specific sum shall be made upon the effective date of this act, and all others shall be made quarterly unless otherwise provided; except, that at the close of a fiscal year, the amount equivalent to payments in a continuing account shall be construed to mean the amount of such appropriation.

SECTION 4. No moneys appropriated under this act shall be expended for reimbursement for the expenses of meals for persons while traveling within or without the commonwealth at the expense thereof, unless such reimbursement is in accordance with rules and rates which are hereby authorized to be established from time to time by the commission on administration and finance.

SECTION 5. The allowance to state employees for expenses incurred by them in the operation of motor vehicles owned by them and used in the performance of their official duties shall not exceed seven cents a mile. No payment shall be made or obligation incurred for the garaging of any passenger vehicle owned by the commonwealth and operated by an employee thereof as transportation from his place or places of employment to the vicinity of his residence.

SECTION 6. Amounts included for permanent positions in sums appropriated in section two for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on ways and means, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the division of personnel and standardization, no part of sums so appropriated in section two shall be available for payment of salaries of any additional permanent position, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent position, notwithstanding any special or general act to the contrary; provided, that no vacancy occurring in any permanent position included in said schedules of permanent positions, excepting in the services of the legislature or the judiciary, or of institutions under the jurisdiction of the departments of mental health, correction, public welfare and public health, and the youth service board, the Soldiers' Home in Massachusetts and the Soldiers' Home in Holyoke, and excepting positions which are subject to appointment by the governor, with or without the consent of the council, may be filled in any manner without approval by the commission on administration and finance.

SECTION 7. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and fifty-five shall be available for the payment of such other forms of compensation as may be due under existing statutes, or under the provisions of rules and regulations made in accordance with said statutes.

SECTION 8. All federal subventions and grants available to the commonwealth under any act of congress and not otherwise authorized to be received shall be paid into the treasury of the commonwealth; provided, however, that applications for such subventions and grants, and for transfers within such subventions and grants, shall be subject to the approval of the commission on administration and finance. All federal subventions and grants received by the

commonwealth may be expended without specific appropriation if such expenditures are otherwise in accordance with law. All income, including federal subventions and grants, received by the commonwealth from or on account of veterans in payment for veterans' services, shall be credited to the veterans' services fund.

SECTION 9. Notwithstanding the provisions of section fifty-one of chapter thirty of the General Laws, or any other provision of law, the state purchasing agent is hereby authorized during the fiscal year nineteen hundred and fifty-five to incur liabilities and incidental expenses for the purchase of supplies, as provided by said section fifty-one, including material to be disposed of as surplus, so called, by the federal government through agencies of the federal government, in an amount not exceeding three hundred and fifty thousand dollars, in addition to any amount heretofore provided for the purpose, and the comptroller may certify for payment such incidental expenses and liabilities so incurred to an amount not exceeding three hundred and fifty thousand dollars, in addition to any amount heretofore provided for the purpose.

SECTION 10. No agency of the commonwealth receiving an appropriation under section two of this act shall make any expenditure for any document regularly printed, mimeographed or prepared in any other way, whether for outside or inter-departmental circulation unless publication of such document shall have been approved by the state purchasing agent.

SECTION 11. To meet the cost of increases in salaries of officers and employees of the commonwealth whose salaries are established by statute and were not increased by the provisions of sections one to forty-eight, inclusive, of chapter five hundred and ninety-one of the acts of nineteen hundred and forty-six, or by any other act enacted during the fiscal years nineteen hundred and forty-six to nineteen hundred and fifty-three, inclusive, or the current year, all of which salaries are hereby increased as provided by section forty-nine of said chapter five hundred and ninety-one for the period beginning July first, nineteen hundred and fifty-four and ending June thirtieth, nineteen hundred and fifty-five, the sum of seven thousand seven hundred and seventy-seven dollars is hereby appropriated for the fiscal year nineteen hundred and fifty-five, to be paid in the following amounts from the following funds:

General Fund	.	.	.	.	\$5,557 00
Veterans' Services Fund	.	.	.	.	420 00
Old Age Assistance Fund	.	.	.	.	1,800 00

Provided, that the said increase, for full-time service shall not be more than six hundred dollars per annum, the provisions of said section forty-nine of chapter five hundred and ninety-one of the acts of nineteen hundred and forty-six notwithstanding, the sum herein appropriated is to provide

the amounts required to be added to each of the appropriation items for personal services for the fiscal year nineteen hundred and fifty-five in order to meet the cost of said salary increases. The comptroller is hereby directed to transfer said amounts from the sum herein appropriated to the appropriation items aforesaid which cover the personal services of persons whose salaries are so increased, the same to be in each instance in addition to the amounts already appropriated in said items.

SECTION 12. The director of personnel and standardization is hereby authorized and directed to survey the positions classified as junior clerk, junior clerk and typist, junior clerk and stenographer, senior clerk, senior clerk and typist, and senior clerk and stenographer to determine the proper classification of any person so employed. The director is hereby authorized and directed to reclassify such positions with the approval of the director of civil service in accordance with the provisions of chapter thirty-one of the General Laws, and the director may, with the approval of the commission on administration and finance, adjust the numbers of employees in each such classification specified in any appropriation account without increasing the total number of permanent positions so specified. Action authorized in this section shall be construed to be within the limitations of section six of this act.

SECTION 13. This act shall take effect on July first, nineteen hundred and fifty-four. *Approved June 10, 1954.*

RESOLVES.

RESOLVE FURTHER CONTINUING THE SPECIAL COMMISSION TO STUDY THE ESTABLISHMENT OF A STATE MEDICAL AND DENTAL SCHOOL, INCREASING THE SCOPE OF SAID COMMISSION, AND FIXING THE TIME WITHIN WHICH SAID COMMISSION SHALL FILE ITS FINAL REPORT. *Chap. 1*

Resolved, That the unpaid special commission established by chapter seventy of the resolves of nineteen hundred and fifty-one, as most recently revived and continued by chapter forty-eight of the resolves of nineteen hundred and fifty-three, to make a study and investigation relative to the establishment of a state medical and dental school under the jurisdiction of the University of Massachusetts is hereby continued for the purpose of continuing its investigation and study relative to the establishment of a medical and dental school. Said commission shall also consider, investigate and study the establishment of a New England Board of Education, proposed compacts among the New England states authorizing co-operative planning in the field of medicine, dentistry, veterinary medicine and technical, professional, graduate training.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, may travel within and without the commonwealth, and may expend for legal, clerical, and other assistants the balance of the amount appropriated in item 7613-08 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-two and such additional sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate from time to time and by filing a final report not later than the first Wednesday of April in the current year. *Approved January 19, 1954.*

RESOLVE IN FAVOR OF THE TOWN OF HARVARD.

Resolved, That, for the purpose of discharging a moral obligation, there shall be paid to the town of Harvard a sum of money not exceeding four hundred and four dollars and twenty-nine cents for the subsidy due said town on account of treatment of Charles Clark Streeter for tuberculosis at the Worcester County Sanatorium. Said sum

Chap. 2

shall be paid from funds available in Item 2010-05 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three.

Approved January 21, 1954.

- Chap.* 3 RESOLVE PROVIDING FOR A PROPER REPRESENTATION OF THE COMMONWEALTH AT THE NATIONAL CONVENTION OF THE ARMY AND NAVY UNION, U. S. A., TO BE HELD IN THE CITY OF BOSTON IN THE CURRENT YEAR.

Resolved, That, in order that the commonwealth may be properly represented on the occasion of the national convention of the Army and Navy Union, U. S. A., to be held in the city of Boston in August of the current year, and to ensure, in arranging entertainments and other events in connection therewith, proper co-operation between Army and Navy Union, U. S. A., Department of Massachusetts, Inc. and the commonwealth, there may be expended, with the approval and under the direction of the governor and council, such sums as may be appropriated therefor.

Approved January 21, 1954.

- Chap.* 4 RESOLVE PROVIDING FOR A PROPER REPRESENTATION OF THE COMMONWEALTH AT THE ANNUAL REUNION OF THE FORTY-SECOND INFANTRY DIVISION OF THE NATIONAL ASSOCIATION RAINBOW DIVISION VETERANS TO BE HELD IN THE CITY OF BOSTON, IN THE CURRENT YEAR.

Resolved, That, in order that the commonwealth may be properly represented on the occasion of the annual reunion of the Forty-second Infantry Division of the national association Rainbow Division Veterans, to be held in the city of Boston in July of the current year, and to ensure, in arranging entertainments and other events in connection therewith, proper co-operation between the Forty-second Infantry Division of the national association Rainbow Division Veterans and the commonwealth, there may be expended, with the approval and under the direction of the governor and council, such sums as may be appropriated therefor.

Approved January 27, 1954.

- Chap.* 5 RESOLVE IN FAVOR OF ELMER E. GEORGE.

Resolved, That, for the purpose of promoting the public good and in consideration of his long and meritorious service, Elmer E. George, former state income tax director, is hereby made eligible to receive payment for a vacation allowance notwithstanding the provisions of section thirty-one A of chapter twenty-nine of the General Laws or rules and regulations made thereunder, and for the purpose of carrying into effect the provisions of this resolve there shall be allowed and paid out of the state treasury to said Elmer E. George, from the amount appropriated by Item 1201-02 of

section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three, the sum of six hundred and ninety-seven dollars and ten cents.

Approved January 28, 1954.

RESOLVE IN FAVOR OF ANNA J. JUREK.

Chap. 6

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, and after an appropriation has been made therefor, there shall be allowed and paid out of the state treasury to Anna J. Jurek, a former state employee, the sum of eighty-six dollars and thirty cents in full compensation for salary due her for service rendered by her to the department of public utilities in the year nineteen hundred and forty-six.

Approved January 28, 1954.

RESOLVE VALIDATING CERTAIN ACTS OF JOHN F. BAXTER OF WORCESTER, AS A NOTARY PUBLIC. Chap. 7

Resolved, That the acts of John F. Baxter of Worcester, as a notary public, between December twenty-first, nineteen hundred and fifty-two and June twenty-fifth, nineteen hundred and fifty-three, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time he had been qualified to discharge the duties of such office.

Approved January 28, 1954.

RESOLVE PROVIDING FOR A PROPER REPRESENTATION OF THE COMMONWEALTH AT THE NATIONAL CONVENTION OF THE YANKEE DIVISION VETERANS ASSOCIATION TO BE HELD AT THE CITY OF BOSTON IN THE YEAR NINETEEN HUNDRED AND FIFTY-FOUR. Chap. 8

Resolved, That, in order that the commonwealth may be properly represented at the national convention of the Yankee Division Veterans Association to be held at the city of Boston during the month of June in the current year, and to ensure, in arranging entertainment and other events in connection therewith, proper co-operation between the Yankee Division Veterans Association and the commonwealth, there may be expended, with the approval and under the direction of the governor and council, such sums as may be appropriated therefor.

Approved January 28, 1954.

RESOLVE VALIDATING THE ACTS OF ARLINE M. HURST OF SPRINGFIELD AS A NOTARY PUBLIC. Chap. 9

Resolved, That the acts of Arline M. Hurst of Springfield as a notary public between June fourteenth, nineteen hundred and forty-eight and November thirteenth, nineteen hundred and fifty-three, both dates inclusive, in so far as the same may have been invalid by reason of the fact that, upon the

change of her name from Arline M. Tetrault, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved February 2, 1954.

Chap. 10 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE CONVEYANCE OF PROPERTY BY MARRIED WOMEN.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered three hundred and fifty-five, relative to the conveyance of property by married women, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved February 2, 1954.

Chap. 11 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE CRIME OF LARCENY.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered nine hundred and eighty-six, relative to the crime of larceny, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved February 3, 1954.

Chap. 12 RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ON THE STRUCTURE OF THE STATE GOVERNMENT AND INCREASING THE MEMBERSHIP THEREOF.

Resolved, That the unpaid special commission established by chapter seventy-five of the resolves of nineteen hundred and forty-nine is hereby revived and continued for the limited purpose of completing its study of the structure of the general and labor service salary schedules and of the existing allocation of offices and positions to salary grades in such schedules. The membership of the commission is hereby increased by two members, one from each of the major political parties, to be appointed by the governor.

For the purpose of this resolve, said commission may expend the balance available in item 0261-00 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three, and in addition thereto may expend the further sum of ten thousand dollars, which is hereby appropriated from the General Fund.

Said commission shall report to the general court the results of said study and its recommendations, if any, together with drafts of legislation necessary to carry its recom-

mendations into effect, and shall file its final report with the clerk of the house of representatives not later than March fifteenth, nineteen hundred and fifty-four.

Approved February 5, 1954.

RESOLVE VALIDATING THE ACTS OF YVETTE C. KUMPEY OF WORCESTER AS A NOTARY PUBLIC. *Chap. 13*

Resolved, That the acts of Yvette C. Kumpey of Worcester as a notary public between April fourth, nineteen hundred and forty-nine and September eighteenth, nineteen hundred and fifty-three, both dates inclusive, are hereby confirmed and made valid, in so far as the same were invalid by reason of the fact that, notwithstanding the change of her name by marriage from Yvette C. Gemme, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws.

Approved February 9, 1954.

RESOLVE VALIDATING THE ACTS OF DANIEL E. SMITH OF STONEHAM AS A JUSTICE OF THE PEACE. *Chap. 14*

Resolved, That the acts of Daniel E. Smith of Stoneham as a justice of the peace between April twenty-fifth, nineteen hundred and seventeen and April twenty-fifth, nineteen hundred and twenty-four, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time he had been qualified to discharge the duties of said office.

Approved February 15, 1954.

RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PREVENTION OF CHILD DELINQUENCY, THE REHABILITATION OF DELINQUENT CHILDREN AND AS TO THE ADVISABILITY OF ESTABLISHING INSTITUTIONS FOR THE TREATMENT OF SUCH CHILDREN. *Chap. 15*

Resolved, That the unpaid special commission, established by chapter seventy-one of the resolves of nineteen hundred and forty-seven and most recently revived and continued by chapter fifteen of the resolves of nineteen hundred and fifty-three, is hereby revived and continued for the purpose of continuing its investigation and study relative to the prevention of child delinquency, the rehabilitation of delinquent children, and as to the advisability of establishing institutions for the treatment of such children. The commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, and may expend the balance available in item 0246-00 of section two of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of

its investigation and study hereunder, and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing one or more reports with the clerk of the house of representatives at such time or times as the commission may elect; provided, that the commission shall so file its final report on or before the fifteenth of April in the current year.

Approved February 15, 1954.

Chap. 16 RESOLVE AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO MAKE A STUDY AND SURVEY OF THE UNDERPASS AND THE APPROACHES THERETO AT THE CAMBRIDGE END OF THE LONGFELLOW BRIDGE.

Resolved, That the metropolitan district commission is hereby authorized and directed to make a study and survey of the underpass and the approaches thereto at the Cambridge end of the Longfellow bridge with a view to ameliorating or relieving the existing traffic congestion. Said commission shall report to the general court the results of its study and survey, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year. *Approved February 16, 1954.*

Chap. 17 RESOLVE IN FAVOR OF FREDERIC A. CRAFTS.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth and after an appropriation has been made, there be paid from the state treasury to Frederic A. Crafts the amount of his expenses and reasonable counsel fees in the total sum of thirty-five hundred dollars incurred in defending a civil suit brought against him in the United States District Court for the district of Massachusetts by one James Francis to collect damages for a judicial act of said Frederic A. Crafts while sitting as special and presiding justice of the second district court of eastern Middlesex.

Approved February 16, 1954.

Chap. 18 RESOLVE ESTABLISHING A STATE YOUTH COMMISSION.

Resolved, That an unpaid special commission, consisting of a chairman to be appointed by the governor and six ex-officio members: — the commissioners of public welfare, public health, mental health, and education, the director of the division of youth service and the judge of the Boston Juvenile Court or their respective nominees, is hereby established for the purpose of making a study of facilities available for meeting the problem of juvenile delinquency.

Said commission shall give consideration to the possibility of co-ordination at the local level and allocation to the various state departments of the respective responsibilities

which should be theirs in coping with juvenile delinquency, and shall be charged with the responsibility of calling a state-wide conference of all officials and agencies interested for the purpose of determining the dimensions of the problem, the extent and success of various efforts now underway to meet it, and those areas in which the commonwealth or its agencies may render the greatest possible assistance.

Said commission shall report its findings to the general court on or before May first, nineteen hundred and fifty-four, and there is hereby appropriated for expenses and legal, clerical and other assistance, the sum of fifteen hundred dollars from the General Fund.

Approved February 17, 1954.

RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE STATE TEACHERS' COLLEGES. Chap. 19

Resolved, That the unpaid special commission established by chapter forty-seven of the resolves of nineteen hundred and fifty-three is hereby revived and continued for the purpose of continuing its investigation and study relative to the State Teachers' Colleges, including the Massachusetts School of Art, as set forth in said resolve. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, may travel within and without the commonwealth, and may expend the balance available in item 0241-00 of section two of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the house of representatives not later than the fifteenth day of April in the current year.

Approved February 23, 1954.

RESOLVE ESTABLISHING A FISCAL SURVEY COMMISSION. Chap. 20

Resolved, That an unpaid special commission, consisting of three persons to be appointed by the governor, two members of the senate, one from each major political party, to be designated by the president thereof; two members of the house of representatives, one from each major political party, to be designated by the speaker thereof, the comptroller, the commissioner of corporations and taxation, and the budget commissioner, ex officio, the chairman of which shall be designated by the governor, is hereby established for the purpose of investigating and studying certain fiscal practices and policies of the commonwealth. Said commission in the course of its study and investigation shall

consider, without being limited thereto, the following matters: —

- Designation of a minimum number of funds.
- Adequacy and fairness of permanent taxes and fees.
- Federal-state and state-local fiscal sharing programs.
- Policy as to spending local and federal funds without appropriation.
- Constitutional limitations.
- Subsidiary accounts, transfer and allotments.
- Desirability of tax stabilization reserve funds.
- Emergency or reserve funds.
- A planned capital construction and maintenance program.
- Management and financing of the state debt.
- Policy on adding positions and adjusting salaries.
- Fixing the duration of authorization to spend.
- The statutory liabilities of the commonwealth.

Said commission shall also give full consideration to the reports of the Special Commission on Taxation, the Commission on the Structure of the State Government, the Governor's Committee on Hospitals, and any other special commission, such as those on teachers' colleges, the new state office building, and commissions having to do with studies of the fiscal affairs of the commonwealth.

Said commission shall be provided with quarters in the state house or elsewhere, shall hold public hearings, may travel within and without the commonwealth, and may sit during the session and recess of the general court.

Said commission shall report its findings and recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect simultaneously to the governor, and to the general court by filing the same with the clerk of the house of representatives, at such time or times as it may deem advisable, but in any event shall file its final report on or before December first, nineteen hundred and fifty-four. There is hereby appropriated from the General Fund for expenses and legal, clerical and other assistance the sum of twenty-five thousand dollars.

Approved February 24, 1954.

Chap. 21 RESOLVE VALIDATING THE ACTS OF L. JENNIE POLLACK OF HAVERHILL AS A NOTARY PUBLIC.

Resolved, That the acts of L. Jennie Pollack of Haverhill as a notary public between November twelfth, nineteen hundred and forty-seven and January twenty-second, nineteen hundred and fifty-four, both dates inclusive, are hereby confirmed and made valid in so far as they may have been invalid by reason of the fact that, notwithstanding the change of her name by marriage from L. Jennie Yurelionis, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws.

Approved February 24, 1954.

RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO STUDY AND REVISE THE LAWS RELATING TO PUBLIC WELFARE. *Chap. 22*

Resolved, That the special commission established by chapter thirty-three of the resolves of nineteen hundred and fifty-three to make a survey and study of the laws relating to public welfare, whose scope was increased by chapter seventy-five of the resolves of nineteen hundred and fifty-three, is hereby further revived and continued for the purpose of continuing its survey and study. Said commission shall hold hearings, shall be provided with quarters in the state house or elsewhere, and may expend for expenses and legal, clerical and other assistance the balance of the sums appropriated under item 0209-00 of section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and fifty-three, and such additional sums as may be appropriated therefor. Said commission shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives not later than May fifteenth in the current year.

Approved March 2, 1954.

RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO CERTAIN CHANGES IN THE RETIREMENT LAW. *Chap. 23*

Resolved, That the unpaid special commission, established by chapter eighty of the resolves of nineteen hundred and fifty-three, is hereby revived and continued for the purpose of continuing its survey and study of the laws of the commonwealth relating to retirement systems and pensions with a view to the revision, codification and simplification of chapter thirty-two of the General Laws. Said commission shall, in the course of its study, consider the subject matter of house document numbered 2656 of 1953, relative to certain changes in the retirement law. In the course of its investigation, the commission shall investigate and study all non-contributory as well as contributory retirement and pension plans and systems. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony by witnesses and the production of books and papers, may call on state officials and department heads for advice and assistance, may travel within the commonwealth, and may expend for experts, clerical and other services and expenses the balance available in item 0267-00 of section 2 of chapter 675 of the acts of 1953 and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legisla-

tion necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives not later than the first Wednesday of April in the current year.

Approved March 4, 1954.

Chap. 24 RESOLVE VALIDATING THE ACTS OF EVELYN FREEMAN BROWN OF QUINCY AS A NOTARY PUBLIC.

Resolved, That the acts of Evelyn Freeman Brown of Quincy as a notary public between July eleventh, nineteen hundred and forty-two and December thirty-first, nineteen hundred and fifty-three, both dates inclusive, in so far as the same may have been invalid by reason of the fact that, upon the change of her name from Evelyn M. Freeman, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved March 9, 1954.

Chap. 25 RESOLVE VALIDATING THE ACTS OF MILDRED F. MACNEIL OF WEYMOUTH AS A NOTARY PUBLIC.

Resolved, That the acts of Mildred F. MacNeil of Weymouth as a notary public between June nineteenth, nineteen hundred and forty-eight and August seventh, nineteen hundred and fifty-three, both dates inclusive, in so far as the same may have been invalid by reason of the fact that, upon the change of her name from Mildred Christie, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved March 9, 1954.

Chap. 26 RESOLVE VALIDATING THE ACTS OF MYRTLE F. MONAHAN OF WEYMOUTH AS A NOTARY PUBLIC.

Resolved, That the acts of Myrtle F. Monahan of Weymouth as a notary public between July first, nineteen hundred and forty-nine and December tenth, nineteen hundred and fifty-three, both dates inclusive, in so far as the same may have been invalid by reason of the fact that, upon the change of her name from Myrtle F. Dimock, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved March 9, 1954.

Chap. 27 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO NOTICE TO ACCUSED BEFORE TRIAL IN DISTRICT COURTS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered seven hundred and eighty-five, relative to notice

to accused before trial in district courts, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved March 11, 1954.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY
THE DEPARTMENT OF PUBLIC UTILITIES RELATIVE TO THE
GRADE CROSSING AT MARBLEHEAD STREET IN THE TOWN
OF NORTH ANDOVER. Chap. 28

Resolved, That the department of public utilities is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 565, relative to the grade crossing at Marblehead street in the town of North Andover. Said department shall report to the general court the results of its investigation and study by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved March 18, 1954.

RESOLVE FURTHER CONTINUING THE SPECIAL COMMISSION
ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY
RELATIVE TO THE PROBLEMS OF TAXATION. Chap. 29

Resolved, That the unpaid special commission, known as the special commission on taxation, established by chapter eighty-six of the resolves of nineteen hundred and forty-eight, and whose membership was increased by chapter fifty-one of the resolves of nineteen hundred and forty-nine, and which was most recently continued by chapter forty-two of the resolves of nineteen hundred and fifty-three, is hereby continued for the purpose of continuing its investigation and study relative to the problems of taxation. Said commission shall make an investigation and study of the general subject of taxation in the commonwealth, including among other things the assessment and collection of taxes and the distribution of such taxes. Said commission shall also make such investigation and study with a view to the revision and codification of the laws relating to taxation and to the recommending of such changes therein and additions thereto as may appear necessary or desirable.

Said commission may hold public hearings and may call upon officials of the commonwealth or its subdivisions for such information as it may desire in the course of its investigation and study, shall be provided with quarters in the state house or elsewhere and shall have the power to summon witnesses and to require the production of books, records, contracts and papers and the giving of testimony under oath. Said commission may expend for expert, clerical and other services and expenses the unexpended balance of item 0239-00 of section two of chapter six hundred and thirty-two of the acts of nineteen hundred and fifty-two and of item 0239-00 of chapter six hundred and seventy-five of the

acts of nineteen hundred and fifty-three. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives from time to time and by filing a final report on or before June thirtieth of the current year.

Approved March 18, 1954.

Chap. 30 RESOLVE VALIDATING THE ACTS OF LOLA DICKERMAN OF LAWRENCE AS A NOTARY PUBLIC.

Resolved, That the acts of Lola Dickerman as a notary public between August twenty-fourth, nineteen hundred and fifty-two and December twenty-first, nineteen hundred and fifty-three, both dates inclusive, in so far as the same may have been invalid by reason of the fact that, upon the change of her name from Lola Glazerman, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved March 22, 1954.

Chap. 31 RESOLVE PROVIDING FOR A PROPER REPRESENTATION OF THE COMMONWEALTH AT THE STATE CONVENTION OF THE AMERICAN LEGION TO BE HELD IN THE CITY OF PITTSFIELD IN THE CURRENT YEAR.

Resolved, That, in order that the commonwealth may be properly represented on the occasion of the state convention of The American Legion to be held in the city of Pittsfield in the current year, and to ensure, in arranging entertainments and other events in connection therewith, proper co-operation between the Massachusetts Department of The American Legion and the commonwealth, there may be expended, with the approval and under the direction of the governor and council, for said purpose such sums as may be appropriated therefor.

Approved March 23, 1954.

Chap. 32 RESOLVE PROVIDING FOR A PROPER REPRESENTATION OF THE COMMONWEALTH AT THE NATIONAL CONVENTION OF THE NATIONAL CUSTOMS SERVICE ASSOCIATION TO BE HELD IN THE CITY OF BOSTON IN THE CURRENT YEAR.

Resolved, That, in order that the commonwealth may be properly represented on the occasion of the national convention of the National Customs Service Association to be held in the city of Boston in the current year, and to ensure, in arranging entertainment and other events in connection therewith, proper co-operation between the National Customs Service Association and the commonwealth, there may be expended, with the approval and under the direction of the governor and council, such sums as may be appropriated therefor.

Approved March 25, 1954.

RESOLVE IN FAVOR OF JOSEPH BURNS OF STONEHAM.

Chap. 33

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, and subject to appropriation, there be allowed and paid out of the state treasury to Joseph Burns of Stoneham the sum of nine hundred dollars in payment for injury sustained by his minor son, Joseph Burns, Jr., who was injured at the Metropolitan District Commission wading pool in Stoneham on June sixteenth, nineteen hundred and fifty-two.

No payment shall be made hereunder until there shall have been filed with the comptroller an agreement, signed by the said Joseph Burns, that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the sum paid or payable hereunder.

Approved March 26, 1954.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO TRAFFIC CONDITIONS ON THAT PORTION OF ROUTE 1 WHICH EXTENDS FROM THE TOWN OF DEDHAM TO THE RHODE ISLAND LINE:

Chap. 34

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study relative to traffic conditions on that portion of Route 1 which extends from the town of Dedham to the Rhode Island line for the purpose of eliminating traffic hazards existing thereon and promoting the public safety. Said department shall report to the general court the results of its investigation and study, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first day of June in the current year.

Approved March 29, 1954.

RESOLVE EXTENDING THE TIME IN WHICH THE COMMISSIONERS TO REVISE, RECODIFY, CONSOLIDATE AND ARRANGE THE GENERAL LAWS ARE AUTHORIZED AND DIRECTED TO REPORT SUBSTANTIVE CHANGES IN THE GENERAL LAWS AND TO MAKE THEIR FINAL REPORT.

Chap. 35

Resolved, That the time within which the commissioners to revise, recodify, consolidate and arrange the General Laws of the commonwealth, appointed under authority of chapter ninety-four of the resolves of nineteen hundred and forty-eight, shall submit their final report of such revision, as set forth in chapter thirty-seven of the resolves of nineteen hundred and fifty-two, is hereby further extended from the first Wednesday of February, nineteen hundred and fifty-four to the first Wednesday of May, nineteen hundred and fifty-four.

During the period of said extension the commissioners may also submit to the committee on the judiciary, recommendations for substantive corrective changes of amendments and additions to the General Laws in addition to those contained in Parts I, II and III of its Preliminary Report, and shall continue to make reports of their progress to said committee.

The commissioners may in continuing said work expend the balance of any funds previously appropriated, and the balance available in item 0407-02 of section two of chapter five hundred and seventy-three of the acts of nineteen hundred and fifty-three is hereby made available for expenditure by the commissioners in continuing said work for the purposes specified in appropriation item 0407-01 of section two of said chapter, as well as for the purposes specified in said item 0407-02.

Approved April 1, 1954.

Chap. 36 RESOLVE PROVIDING FOR A PROPER REPRESENTATION OF THE COMMONWEALTH AT THE NATIONAL CONVENTION OF THE AMERICAN GOLD STAR MOTHERS TO BE HELD IN THE CITY OF BOSTON IN THE CURRENT YEAR.

Resolved, That in order that the commonwealth may be properly represented on the occasion of the national convention of the American Gold Star Mothers to be held in the city of Boston from June sixth to June eleventh in the current year, and to ensure, in arranging entertainments and other events in connection therewith, proper co-operation between the American Gold Star Mothers corporation and the commonwealth, there may be expended, with the approval and under the direction of the governor and council, such sums as may be appropriated therefor.

Approved April 5, 1954.

Chap. 37 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC UTILITIES RELATIVE TO REGULATIONS, PRICE CHARGES, EQUIPMENT, INSURANCE, AND ENFORCEMENT OF RULES OF SAID DEPARTMENT CONCERNING THE OPERATION OF TOWING TRUCKS BY GARAGES.

Resolved, That the department of public utilities is hereby authorized and directed to make a study and investigation relative to trucks used by garages for towing purposes, particularly with regard to the regulation thereof, price charges made for such use, equipment thereof, insurance carried for the same, and the enforcement of rules of the department concerning them. The department shall report to the general court the results of its study and investigation, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hun-

dred and fifty-four. For the purpose of carrying out the provisions of this resolve, said department may expend such sums as may be appropriated therefor.

Approved April 5, 1954.

RESOLVE PROVIDING FOR A STUDY BY THE BOARD OF ELEVATOR REGULATIONS OF CERTAIN PROPOSED LEGISLATION RELATIVE TO ELEVATORS. *Chap. 38*

Resolved, That the board of elevator regulations of the department of public safety is hereby authorized to make a study of the subject matter of current senate document numbered 472, relative to further regulating the installation and inspection of elevators, of current house document numbered 1321, relative to further regulating the rules and regulations established by the board of elevator regulations and the licensing of elevator constructors, maintenance men and repair men, and of current house document numbered 2002, relative to safety devices on elevators. Said board shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved April 12, 1954.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO MAKING THE OPERATION OF A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR, REGARDLESS OF THE PLACE OF OPERATION, A CRIMINAL OFFENCE. *Chap. 39*

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 603, relative to making the operation of a motor vehicle while under the influence of intoxicating liquor, regardless of the place of operation, a criminal offence, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved April 15, 1954.

RESOLVE AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONTINUE AN INVESTIGATION AND STUDY RELATIVE TO IMPROVING FAIRHAVEN HARBOR. *Chap. 40*

Resolved, That the department of public works is hereby authorized and directed to continue to make an investigation and study relative to the advisability and expediency of providing for the improvement of the port facilities at Fairhaven harbor. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect,

by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved, April 20, 1954.

Chap. 41 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY RELATIVE TO PLANS AND PROPOSALS FOR THE MASSACHUSETTS BAY CIRCUIT, SO CALLED, AND FOR OTHER PURPOSES.

Resolved, That the division of planning in the department of commerce, the department of natural resources, the department of public works and the metropolitan district commission, sitting as a joint board, are hereby authorized to make an investigation and study relative to the feasibility, usefulness for recreation and travel and the probable cost involved in carrying out the suggested public improvement known as "The Bay Circuit", which was the subject, in part, of a report dated May fourth, nineteen hundred and twenty-nine, by the Governor's Committee on Needs and Uses of Open Spaces, and of such acquisition of land, construction of highways, parks, open spaces and other features as may appear likely to assure the greatest public benefits from this general proposal together with a suggested order of precedence of any projects that may be recommended.

The board shall make a report to the general court not later than the first Wednesday of January in the year nineteen hundred and fifty-five.

Approved April 21, 1954.

Chap. 42 RESOLVE PROVIDING FOR A PROPER REPRESENTATION OF THE COMMONWEALTH AT THE STATE CONVENTION OF THE DISABLED AMERICAN VETERANS, DEPARTMENT OF MASSACHUSETTS, INC., TO BE HELD IN THE CITY OF SPRINGFIELD IN THE CURRENT YEAR.

Resolved, That, in order that the commonwealth may be properly represented on the occasion of the state convention of the Disabled American Veterans, Department of Massachusetts, Inc., to be held in the city of Springfield in the current year, and to ensure, in arranging entertainments and other events in connection therewith, proper co-operation between the Disabled American Veterans, Department of Massachusetts, Inc. and the commonwealth, there may be expended, with the approval and under the direction of the governor and council, for said purpose such sums as may be appropriated therefor.

Approved April 26, 1954.

Chap. 43 RESOLVE VALIDATING THE ACTS OF CECILIA T. CONLIN OF MILFORD AS A NOTARY PUBLIC.

Resolved, That the acts of Cecilia T. Conlin of Milford as a notary public between June twenty-fourth, nineteen hundred and fifty and March nineteenth, nineteen hundred and fifty-four, both dates inclusive, in so far as the same may have been invalid by reason of the fact that upon the change of her name from Cecilia T. Burnett, she failed to

re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved April 26, 1954.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE ADVANCEMENT FOR SPEEDY TRIAL OF CERTAIN CASES REMOVED BY THE DEFENDANT FROM A DISTRICT COURT TO THE SUPERIOR COURT. *Chap. 44*

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered five hundred and eighty-five, relative to providing for the advancement for speedy trial of certain cases removed by the defendant from a district court to the superior court, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved April 26, 1954.

RESOLVE PROVIDING FOR THE CONVEYANCE OF CERTAIN LAND IN THE EAST BOSTON DISTRICT OF THE CITY OF BOSTON TO THERESA DISESSA OF SAID CITY. *Chap. 45*

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, the state department of public works, with the approval of the governor and council, may, without consideration, convey in the name and behalf of the commonwealth to Theresa DiSessa of Boston so much of the land shown as Lot 1 on Whitman & Howard plan dated August 1932 and filed with Land Court (Suffolk Registry District), Certificate of Title numbered 45616, as lies within the limits of Lot A shown on Whitman & Howard plan dated April 6, 1938 and recorded with Suffolk Deeds Book 5807, Page 559; provided, that the contract made between the commonwealth and the city of Boston under chapter four hundred and thirty-one of the acts of nineteen hundred and forty-nine is amended so as to permit such conveyance.

Approved April 26, 1954.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR STOP PAYMENT ORDERS RELATING TO THE PAYMENT OF CHECKS OR DRAFTS AGAINST BANK ACCOUNTS. *Chap. 46*

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered six hundred and fifty-nine, relative to providing for stop payment orders relating to the payment of checks or drafts against bank accounts, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved April 26, 1954.

Chap. 47 RESOLVE PROVIDING FOR A FURTHER INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION, THE DEPARTMENT OF PUBLIC WORKS AND THE DEPARTMENT OF PUBLIC HEALTH OF THE SANITARY CONDITION OF SPY POND IN THE TOWN OF ARLINGTON.

Resolved, That the joint board, consisting of the metropolitan district commission, the department of public works and the department of public health, established by chapter twenty-four of the resolves of nineteen hundred and fifty-three, is hereby revived and continued, and is hereby authorized and directed to further study the conditions at Spy pond in the town of Arlington, reported in current house document numbered 2361. Notwithstanding any other provisions of the law to the contrary, the said board, for the purposes of this resolve, may expend the unexpended balance of the funds appropriated by item 8602-80 of section two of chapter four hundred and twenty of the acts of nineteen hundred and fifty-two, and may, in addition to said balance, expend such sums as may hereafter be appropriated therefor. The said joint board shall report to the general court the results of its further investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect by filing the same with the clerk of the house of representatives on or before December thirty-first, nineteen hundred and fifty-five.

Approved April 26, 1954.

Chap. 48 RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PREVENTION OF CHILD DELINQUENCY, THE REHABILITATION OF DELINQUENT CHILDREN AND AS TO THE ADVISABILITY OF ESTABLISHING INSTITUTIONS FOR THE TREATMENT OF SUCH CHILDREN.

Resolved, That the unpaid special commission, established by chapter seventy-one of the resolves of nineteen hundred and forty-seven and most recently revived and continued by chapter fifteen of the resolves of nineteen hundred and fifty-three, is hereby revived and continued for the purpose of continuing its investigation and study relative to the prevention of child delinquency, the rehabilitation of delinquent children, and as to the advisability of establishing institutions for the treatment of such children. The commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, and may expend for clerical and other services and expenses the balance available in item 0246-00 of section two of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of

its investigation and study hereunder, and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing one or more reports with the clerk of the house of representatives at such time or times as the commission may elect; provided, that the commission shall so file its final report on or before the fifteenth day of May in the current year.

Approved April 26, 1954.

RESOLVE AUTHORIZING THE CONTINUANCE OF THE INVESTIGATION RELATIVE TO THE FORMULATION OF A PLAN FOR THE IMPROVEMENT OF STRAITS POND IN THE TOWNS OF HULL AND COHASSET.

Chap. 49

Resolved, That the department of public health, the state reclamation board and the Port of Boston Commission, authorized and directed as a joint board by chapter forty-one of the resolves of nineteen hundred and fifty-three to consider and formulate a plan for the improvement of the condition of Straits pond in the towns of Hull and Cohasset, is hereby authorized and directed to continue its investigation. The said joint board shall report to the general court the final results of its investigations and its recommendations, if any, together with drafts of legislation necessary to carry out the same by filing a report with the clerk of the house of representatives on or before the first Wednesday in December in nineteen hundred and fifty-four. For the purposes of carrying out the provisions of this resolve the said joint board may expend such sums as may be appropriated therefor.

Approved April 27, 1954.

RESOLVE IN FAVOR OF LEWIS HADUK, JOHN CABRAL AND HECTOR BLAIS.

Chap. 50

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, and subject to appropriation, the commissioner of agriculture shall certify for payment and there shall be paid by the commonwealth to Lewis Haduk of North Attleborough the sum of one thousand three hundred and fifty dollars and twenty-seven cents; to John Cabral of Seekonk the sum of one thousand eight hundred and sixty-seven dollars; and to Hector Blais of North Attleborough the sum of six thousand four hundred and ninety-two dollars and fifty-five cents, for reimbursement for losses sustained by them for hogs quarantined under provisions of chapter one hundred and twenty-nine of the General Laws and sold for processing. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Lewis Haduk, John Cabral and Hector Blais that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed five per cent of the maximum amount payable hereunder.

Approved April 29, 1954.

Chap. 51 RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED FOR THE PURPOSE OF MAKING AN INVESTIGATION AND STUDY RELATIVE TO THE USE OF TELEVISION FOR EDUCATIONAL PURPOSES.

Resolved, That the unpaid special commission, established by chapter ninety-six of the resolves of nineteen hundred and fifty-two and revived and continued by chapter seven of the resolves of nineteen hundred and fifty-three, is hereby further revived and continued for the purpose of continuing its investigation and study relative to the use of television for educational purposes.

Said commission may, in the course of its investigation and study, conduct such engineering and other surveys as it deems necessary to petition the Federal Communications Commission to allocate and reserve additional television channels for non-commercial educational television purposes in central Massachusetts, the Connecticut valley, and Berkshire county, and to prepare the necessary application or applications for the utilization of the non-commercial television channel or channels allocated to Massachusetts.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, may travel within and outside the commonwealth, and may expend for clerical, engineering, legal and other services such sums as may be appropriated therefor.

Said commission shall report to the general court the results of its investigation and study hereunder, and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing one or more reports with the clerk of the senate at such time or times as the commission may elect; provided, that the commission shall so file its final report on or before May twenty-eighth, nineteen hundred and fifty-four. For the purposes of this resolve the commission may expend the balance available in item 0229-00 as appropriated by chapter seven of the resolves of nineteen hundred and fifty-three and such other sums as may be appropriated therefor.

Approved April 29, 1954.

Chap. 52 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF COMMERCE RELATIVE TO PROMOTING INDUSTRY AND TRADE IN THE COMMONWEALTH.

Resolved, That the department of commerce is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 162 relative to fostering and developing domestic and international trade for the benefit of the commonwealth and to create world trade centers in the city of Boston, and current house document numbered 292 relative to the further

promotion of the textile industry in Massachusetts. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate not later than the last Wednesday of December in the current year. *Approved May 3, 1954.*

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO CONVEYANCES OF REAL ESTATE BY WILL OR DEED BY A MARRIED PERSON DESERTED BY A SPOUSE OR LIVING APART FOR JUSTIFIABLE CAUSE, AND RELATIVE TO PROVIDING FOR THE TRANSFER OF REGISTRATION OF THE TITLE OF, OR INTEREST IN, A MOTOR VEHICLE OF A DECEASED PERSON. *Chap. 53*

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered three hundred and sixty-two, relative to conveyances of real estate by will or deed by a married person deserted by a spouse or living apart for justifiable cause, and of current house document numbered eighteen hundred and seventy-two, relative to providing for the transfer of registration of the title of or interest in, a motor vehicle of a deceased person, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 4, 1954.

RESOLVE PROVIDING FOR A STUDY RELATIVE TO THE EXTENSION OF THE METROPOLITAN WATER SYSTEM MAINS INTO THE COUNTIES OF PLYMOUTH AND BRISTOL. *Chap. 54*

Resolved, That the metropolitan district commission is hereby authorized and directed to make a comprehensive investigation and study of the advisability and feasibility of constructing, as part of the metropolitan water system, extensions of its water distributing mains into the cities and towns of Plymouth and Bristol counties, and of furnishing water so that said cities and towns may be insured an adequate supply of water. The commission shall estimate the costs of making such extensions and of furnishing such water, and shall submit a method of payment therefor by such cities and towns, which shall pay a fair share of the costs of such water, the costs of extending said water mains, and of connections thereto. Said commission may expend for the purposes of this resolve such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with estimates of costs, and drafts of legislation necessary to carry said recommendations

into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December in the current year.

Approved May 4, 1954.

Chap. 55 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL UNPAID COMMISSION OF GROUND WATER SUPPLIES AND OF DETERMINING NEW SOURCES THEREOF, IN THE COUNTIES OF PLYMOUTH AND BRISTOL.

Resolved, That a special unpaid commission, to consist of the director of the division of sanitary engineering in the department of public health, and two persons, who shall be engineers or scientists experienced in the field of water supply and in locating and determining the sources of ground water supplies, to be appointed by the governor, is hereby established for the purpose of making a comprehensive study and investigation of the water supply sources in the counties of Plymouth and Bristol, with particular reference to the quantities of water to be obtained from ground water sources, the location of said sources, the best method of conserving said water supplies, of purifying and protecting the purity of said water, and all other matters pertaining to public ground water supply in said counties. The commission shall be provided with quarters in the state house or elsewhere, may hold hearings and shall have the power to summons witnesses. It may employ engineers, consulting engineers, chemists and attorneys and may expend therefor and for such other assistance and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of said study and investigation, together with recommendations, if any, and drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December in the current year.

Approved May 4, 1954.

Chap. 56 RESOLVE INCREASING THE SCOPE OF THE STATE YOUTH COMMISSION ESTABLISHED FOR THE PURPOSE OF MAKING A STUDY OF FACILITIES AVAILABLE FOR MEETING THE PROBLEM OF JUVENILE DELINQUENCY.

Resolved, That the state youth commission, established by chapter eighteen of the resolves of the current year for the purpose of making a study of facilities available for meeting the problem of juvenile delinquency, shall include in its investigation and study the subject matter of current house documents numbered 866, 870, 1565 and 1760.

Approved May 4, 1954.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY FOR A PROPOSED PIER EXTENSION AT THE STATE FISH PIER IN THE CITY OF GLOUCESTER. *Chap. 57*

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study relative to a proposed pier extension at the state fish pier in the city of Gloucester. For said purposes, said department may expend such sums as may be appropriated therefor. Said department shall report to the general court the results of its investigation and study, together with drafts of legislation necessary to carry its recommendations, if any, into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December in the current year.

Approved May 6, 1954.

RESOLVE RELATIVE TO TREATING THE BED AND BANKS OF THE MERRIMACK RIVER FOR RELIEF OF THE MIDGE NUISANCE. *Chap. 58*

Resolved, That the department of public health with the advice of the state reclamation board is hereby authorized and directed to treat the bed and banks of the Merrimack river within the limits of the town of Merrimac for the relief of the midge nuisance. For any work under this resolve the said department may expend for expert services, equipment and other expenses, including chemicals from item 2015-25 of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three an amount not to exceed two thousand dollars.

Approved May 6, 1954.

RESOLVE VALIDATING CERTAIN ACTS OF JOHN LITWACK OF NEWTON AS A NOTARY PUBLIC. *Chap. 59*

Resolved, That the acts of John Litwack of Newton, as a notary public between January twenty-second and March fifteenth, nineteen hundred and fifty-four, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time he had been qualified to discharge the duties of said office.

Approved May 10, 1954.

RESOLVE VALIDATING THE ACTS OF ESTHER M. STEVENS OF CHELSEA AS A NOTARY PUBLIC. *Chap. 60*

Resolved, That the acts of Esther M. Stevens of Chelsea as a notary public between June twenty-ninth, nineteen hundred and forty-one and April twenty-first, nineteen hundred and fifty-four, both dates inclusive, in so far as the same may have been invalid by reason of the change of her name from Esther Maltzman, are hereby confirmed and made valid.

Approved May 10, 1954.

Chap. 61 RESOLVE PROVIDING FOR A STUDY AND INVESTIGATION BY THE DEPARTMENT OF COMMERCE RELATIVE TO THE ESTABLISHMENT OF A SYSTEM OF TOURIST ROUTES.

Resolved, That the department of commerce is hereby authorized and directed to continue the study and investigation authorized by chapter sixty-eight of the resolves of nineteen hundred and fifty-three concerning a system of tourist routes. In the course of its study, said department shall investigate the advisability, feasibility and probable cost of establishing such a system of tourist routes throughout the commonwealth, and shall recognize that such routes should, in so far as practicable, be designated in a manner that will make use of secondary or little-used ways; connect to existing and proposed public forests, parks, reservations and beaches; traverse regions of historic, scenic and geologic interest; and provide small roadside picnic areas, turnouts, overlooks and vistas. Consideration shall also be given the availability or provision of overnight and eating accommodations and such other facilities as will afford to the greatest number of people the fullest enjoyment of the natural, historical and recreational resources of the commonwealth. Said department shall co-ordinate and integrate its findings with its current master plan of ocean beaches and with such other related plans and studies of said department as may now or hereafter be conducted. In the course of its study the department may call upon the department of public works and the department of natural resources for advice and assistance. The department of commerce may expend for the study and investigation herein authorized such sums as may be appropriated therefor. The department shall report the results of its investigations and its recommendations thereto by filing the same, together with draft of legislation to carry its recommendations into effect, with the clerk of the house of representatives on or before the first Wednesday in January of the year nineteen hundred and fifty-five.

Approved May 11, 1954.

Chap. 62 RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO CERTAIN CHANGES IN THE RETIREMENT LAW.

Resolved, That the unpaid special commission, established by chapter eighty of the resolves of nineteen hundred and fifty-three, and revived and continued by chapter twenty-three of the resolves of nineteen hundred and fifty-four, is hereby further revived and continued for the purpose of continuing its survey and study of the laws of the commonwealth relating to retirement systems and pensions with a view to the revision, codification and simplification of chapter thirty-two of the General Laws. Said commission shall, in the course of its study, consider so much of current

house document numbered 2479 as relates to the continuance in employment of certain state employees. In the course of its investigation, the commission shall investigate and study all non-contributory as well as contributory retirement and pension plans and systems. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony by witnesses and the production of books and papers, may call on state officials and department heads for advice and assistance, may travel within the commonwealth, and may expend for experts, clerical and other services and expenses the balance available in item 0267-00 of section 2 of chapter 675 of the acts of 1953 and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives not later than May twenty-first in the current year. *Approved May 11, 1954.*

RESOLVE AUTHORIZING AND DIRECTING THE COMMISSION ON ADMINISTRATION AND FINANCE TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE HEALTH AND SAFETY OF STATE, COUNTY AND MUNICIPAL EMPLOYEES. *Chap. 63*

Resolved, That the commission on administration and finance is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 522, relative to an in-service training program for employees of the commonwealth, of current house document numbered 1327, relative to providing for standard administration of emergency first-aid medical services to state employees during their hours of employment, of current house document numbered 1732, relative to the health and safety of employees, and of current house document numbered 2241, relative to providing medical attention for all employees at the Walter E. Fernald State School. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 13, 1954.

RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE STATE TEACHERS' COLLEGES. *Chap. 64*

Resolved, That the unpaid special commission established by chapter forty-seven of the resolves of nineteen hundred and fifty-three to make an investigation and study relative

to the state teachers' colleges, including the Massachusetts School of Art, whose scope was increased by chapter eighty-two of the resolves of nineteen hundred and fifty-three, and which was revived and continued by chapter nineteen of the resolves of the current year, is hereby further revived and continued for the purpose of continuing its investigation and study. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, may travel within and without the commonwealth, and may expend for professional, clerical and other services and expenses the balance available in item 0241-00 of section two of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three and such other sums as may be appropriated therefor. Said commission shall, from time to time, report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the house of representatives, the final report to be filed not later than the fifteenth day of January, nineteen hundred and fifty-five.

Approved May 13, 1954.

Chap. 65 RESOLVE INCREASING THE SCOPE OF THE STUDY BY THE DEPARTMENT OF PUBLIC WORKS, THE DEPARTMENT OF PUBLIC HEALTH AND THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE ELIMINATION OR CONTROL OF SUBMERGED WEEDS IN CERTAIN GREAT PONDS.

Resolved, That the department of public works, the department of public health and the department of natural resources, acting as a joint board, for the purpose of making an investigation and survey relative to the elimination and control of submerged weeds in certain great ponds and tidal estuaries of the commonwealth, as provided by chapter sixty-seven of the resolves of nineteen hundred and fifty-three, shall, in making said study, consider the subject matter of current house document numbered 2411, the report of the department of public health and the department of public works relative to the improvement of conditions at Furnace Pond in the town of Pembroke.

Approved May 17, 1954.

Chap. 66 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE ELIMINATION AND PREVENTION OF POLLUTION IN THE LEES RIVER IN THE TOWNS OF SWANSEA AND SOMERSET.

Resolved, That the department of public health and the department of public works, acting as a joint board, are hereby authorized and directed to make an investigation relative to the condition of the Lees river in the towns of Swansea and Somerset, with a view to eliminating and preventing pollution in said river and in connection therewith said joint board may expend for engineering, technical

and clerical assistance and expenses such sums as may be appropriated therefor. Said joint board shall report to the general court the results of its investigation, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 17, 1954.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY
THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE
PRESERVATION OF THE PURITY OF CERTAIN WATER SUP-
PLIES. *Chap. 67*

Resolved, That the department of public health is hereby authorized and directed to make a study of the laws of the commonwealth relative to protecting the purity of the water supply for drinking purposes, and the regulations of the department, with a view to revising the same, with particular reference to determining what legislative action, and what remedial measures or methods, consistent with preserving the purity of said water supply, should be taken to provide that certain ponds or lakes, the waters of which are used for municipal drinking purposes, may be used for swimming, bathing, boating, fishing and other recreational purposes by the public; to eliminate the practice of taking land along the shore of ponds or lakes, or in the watersheds thereof, the waters of which are used for municipal drinking purposes, and to enable the return of land purchased or taken for the purpose of preserving the purity of waters in a watershed to the former owners of said land or to the municipality in which said land is located; and to enable owners of cranberry bogs to enjoy the full and complete use for all purposes of the waters now used or available for use in protecting said bogs and in promoting the cultivation of cranberries therein, and to use established or new methods in combating insect pests and plant diseases in said bogs, whether by use of chemicals, sprays or other similar substances, or otherwise. Said department may expend for the purposes of this resolve such sums as may be appropriated therefor. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the year nineteen hundred and fifty-six.

Approved May 18, 1954.

Chap. 68 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC UTILITIES RELATIVE TO TELEPHONE AND TELEGRAPH SERVICE IN THE TOWN OF MOUNT WASHINGTON.

Resolved, That the department of public utilities is hereby authorized and directed to investigate and study all phases of a program designed to continue telephone and telegraph service within the geographical limits of the town of Mount Washington. In making its investigation and study hereunder, the department may expend for such expert, clerical and other services and expenses such sums as may be appropriated therefor. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the house of representatives not later than June first, nineteen hundred and fifty-four.

Approved May 18, 1954.

Chap. 69 RESOLVE IN FAVOR OF MARY F. McHUGH OF LINCOLN.

Resolved, That the state airport management board is hereby authorized to pay to Mary F. McHugh, of Lincoln, the sum of fifteen hundred dollars in full compensation for land owned by her which was taken by eminent domain by said board in connection with the relocating of Old Bedford road, so called. The balance remaining in item 0463-25 of section two of chapter three hundred and eight of the acts of nineteen hundred and forty-nine is hereby made available for the purposes of this resolve. No payment shall be made hereunder until there is filed with the comptroller an agreement signed by said Mary F. McHugh that the amount, if any, paid or to be paid for legal services in connection with the passage of this resolve shall not exceed ten per cent of said sum.

Approved May 18, 1954.

Chap. 70 RESOLVE IN FAVOR OF ADAM AND KATIE MURENKO OF WESTFIELD.

Resolved, That notwithstanding the provisions of any law to the contrary and subject to an appropriation, the department of public works is hereby authorized to pay to Adam and Katie Murenko of Westfield the sum of three hundred and fifty dollars in full compensation for a certain parcel of land owned by said Adam and Katie Murenko which was taken by eminent domain by said department in connection with the construction of a dike in the city of Westfield. No payment shall be made hereunder until there is filed with the comptroller an agreement signed by said Adam and Katie Murenko that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per

cent of said sum. The commissioner of corporations and taxation is hereby authorized and directed in making distributions from the proceeds of the income tax under section eighteen of chapter fifty-eight of the General Laws, to retain from the distributive share due to the city of Westfield in the current year the sum of three hundred and fifty dollars to reimburse the commonwealth for the expenditure made by the department of public works pursuant to this resolve.

Approved May 19, 1954.

RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY THE FEASIBILITY OF ESTABLISHING A SOUTHEASTERN MASSACHUSETTS WATER DISTRICT. *Chap. 71*

Resolved, That the unpaid special commission, established by chapter fifty-four of the resolves of nineteen hundred and fifty-one and continued by chapter eighty-one of the resolves of nineteen hundred and fifty-two, to investigate and study the advisability and feasibility of establishing a southeastern Massachusetts water district, is hereby revived and continued for the purpose of further considering that subject, as well as any legislation or information in connection thereto which may be presented by any of the municipalities in the counties of Bristol and Plymouth, as to their individual water problems; as well as all questions relating to the quantities of water to be obtained from available sources, its quality, the best methods of protecting the purity of the water, the construction, operation and maintenance of works for storing, conveying and purifying the water, the cost of the same, and damages to property, and all other matters pertaining to the subject.

The commission shall have power to employ such engineers and other assistants, including the procurement of the services of such consulting engineers, chemists or attorneys as may be necessary, and to incur such expenses as may be necessary for carrying out the provisions of this resolve.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, and shall have the power to summon witnesses and to require the production of books, records and papers and the giving of testimony under oath.

The commission may expend for the purposes of this resolve the balance available in item 0210-00 of section 2 of chapter 632 of the acts of 1952, and such other sums as may be appropriated therefor.

Said commission shall report fully with plans and estimates to the general court by filing the same with the clerk of the senate on or before the first Wednesday in January, nineteen hundred and fifty-six, including in its report drafts of any legislation recommended by it.

Approved May 19, 1954.

- Chap. 72** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC UTILITIES RELATIVE TO REQUIRING THE BOSTON AND MAINE RAILROAD TO INSTALL, MAINTAIN AND OPERATE MANUAL OPERATED GATES AT THE HAVERHILL STREET GRADE CROSSING IN THE CITY OF LAWRENCE.

Resolved, That the department of public utilities is hereby authorized to make an investigation and study of the subject matter of current house document numbered 567, relative to requiring the Boston and Maine Railroad to install, maintain and operate manual operated gates at the Haverhill street grade crossing in the city of Lawrence. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the house of representatives not later than the first Wednesday of December in the current year.

Approved May 19, 1954.

- Chap. 73** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO EXTENDING LIMITED EQUITY JURISDICTION TO DISTRICT COURTS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 43, relative to extending limited equity jurisdiction to district courts, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and fifty-four.

Approved May 19, 1954.

- Chap. 74** RESOLVE PROVIDING THAT THE STATE DEPARTMENT OF PUBLIC WORKS AND THE STATE RECLAMATION BOARD CONDUCT A STUDY AND INVESTIGATION OF THE FEASIBILITY OF DRAINING CERTAIN SWAMP LANDS IN THE TOWN OF TEWKSBURY.

Resolved, That the department of public works acting through its division of waterways and the state reclamation board, acting as a joint board, are hereby authorized and directed to make an investigation and study of the feasibility of reclaiming certain low lands in the town of Tewksbury. The said joint board shall make a survey and study of conditions in the vicinity of the Shawsheen river, Lubber brook, Trull brook, Strongwater brook, Meadow brook, Heath brook and Content brook with a view to determining methods of reclaiming land in that area and the costs thereof. Said joint board may expend for the purpose of this resolve such amount as may be appropriated therefor. Said joint board shall report to the general court the results of its investigation and study and its recommendations, if any,

as to the methods of reclaiming said land, with estimates of costs and drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives not later than the first Wednesday in December in the current year.

Approved May 20, 1954.

RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION
ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO RENTS TO BE PAID BY CERTAIN VETERANS IN STATE HOUSING UNITS. Chap. 75

Resolved, That the unpaid special commission established by chapter eighty-four of the resolves of nineteen hundred and fifty-three is hereby revived and continued for the purpose of making an investigation and study relative to rents to be paid by certain veterans in state housing units. Said commission shall be provided with quarters in the state house or elsewhere, may expend for clerical and other assistance the balance available in item 0297-00 of section 2 of chapter 675 of the acts of 1953, and shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before June first in the current year.

Approved May 20, 1954.

RESOLVE VALIDATING THE ACTS OF HELENE S. VALLETT OF
NEW BEDFORD AS A NOTARY PUBLIC. Chap. 76

Resolved, That the acts of Helene S. Vallett of New Bedford as a notary public between November ninth, nineteen hundred and fifty and April thirtieth, nineteen hundred and fifty-four, both dates inclusive, are hereby confirmed and made valid, in so far as the same were invalid by reason of the fact that, notwithstanding the change of her name by marriage from Helene A. Sullivan, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws.

Approved May 21, 1954.

RESOLVE TO FURTHER CONTINUE THE STUDY BY THE DEPARTMENT OF MENTAL HEALTH RELATIVE TO THE ADVISABILITY OF MAKING PSYCHIATRIC SERVICE AVAILABLE TO THE DISTRICT COURTS. Chap. 77

Resolved, That the department of mental health, authorized and directed under chapter fifty-five of the resolves of nineteen hundred and fifty-three to continue a study and investigation relative to the advisability of providing psychiatric services and facilities for the district courts of this commonwealth, shall further continue its study and in-

vestigation until the first Wednesday of December, nineteen hundred and fifty-four, at or before which time said department shall report to the general court by filing a report with the clerk of the house of representatives, the results of its study and investigation, so continued, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect.

Approved May 21, 1954.

Chap. 78 RESOLVE PROVIDING FOR CONSTRUCTION BY THE METROPOLITAN DISTRICT COMMISSION, AT THE LYNN AND NAHANT LINE, OF A MEMORIAL FOR THE GENERAL JOSEPH P. SANGER CAMP NO. 15 SPANISH WAR VETERANS.

Resolved, That, for the purpose of commemorating the General Joseph P. Sanger Camp No. 15 United Spanish War Veterans of Lynn, the metropolitan district commission is hereby authorized and directed to set aside a proper and suitable space at the rotary circle at the foot of Washington street at the Lynn and Nahant line, on the newly constructed boulevard, and to construct thereat a concrete base and obtain and set up thereon a field piece, suitable for the foregoing purposes, and to obtain and place a suitably worded plaque and provide permanent care therefor.

Approved May 24, 1954.

Chap. 79 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROPERTIES ABUTTING ON BOULEVARDS UNDER THE CONTROL OF THE METROPOLITAN DISTRICT COMMISSION.

Resolved, That an unpaid special commission to consist of the commissioner of the metropolitan district commission or his representative, the commissioner of public works or his representative, and the director of the division of planning of the department of commerce is hereby authorized and directed to make an investigation and study of current house document numbered 2409, authorizing the metropolitan district commission to deny access to and from properties abutting on boulevards under its control. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday of December in the current year.

Approved May 24, 1954.

RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE THE EXISTENCE AND EXTENT OF ORGANIZED CRIME AND GAMBLING, AND OTHER RELATED MATTERS, WITHIN THE COMMONWEALTH. *Chap. 80*

Resolved, That the unpaid special commission, established by chapter one hundred of the resolves of nineteen hundred and fifty-three, is hereby revived and continued for the purpose of continuing its investigation of the existence and extent of organized crime and gambling, and other related matters, within the commonwealth.

Said commission may request the commissioner of public safety to assist it in its investigation, and he shall furnish such information in his possession as requested, and assign such assistants and investigators as may be requested, and said commission may require co-operation from all agencies of state and local governments. Said commission may employ such legal, expert, clerical and other assistants as it deems necessary.

Said commission may require by summons the attendance and testimony of witnesses and the production of books and papers before it relating to any matter investigated by it in pursuance of this resolve. Such a summons may be issued by the commission upon a vote of said commission and shall be served in the same manner as summonses for witnesses in criminal cases issued in behalf of the commonwealth, and all provisions of law relative to summonses issued in such cases shall apply to summonses issued under authority of this resolve, so far as they are applicable. Such witnesses shall, before testifying, be sworn. Any justice of the supreme judicial or of the superior court may, upon application of the commission, compel the attendance of witnesses summoned as aforesaid and the giving of testimony before said commission in furtherance of any investigation under this resolve, in the same manner and to the same extent as before said courts. No person shall be excused from attending and testifying in the course of such investigation, or from producing any books, papers or documents, on the ground that his testimony or evidence, documentary or otherwise, may tend to criminate him or subject him to a penalty or forfeiture; but he shall not be prosecuted or subjected to penalty or forfeiture for or on account of any action, matter or thing concerning which he may be required to testify or produce evidence, documentary or otherwise, in the course of such investigation, except for perjury committed in such testimony.

The taking of motion pictures or broadcasting by radio or television of any proceeding in connection with any meeting or hearing of said commission is hereby prohibited.

For the purposes of such investigation said commission may expend the unexpended balance of the amount appropriated in chapter one hundred of the resolves of nineteen hundred

and fifty-three, and such additional sums as may be hereafter appropriated.

Said commission is hereby further directed to report to the general court the results of its investigations and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate from time to time but not later than the last Wednesday in January, nineteen hundred and fifty-five.

Approved May 26, 1954.

Chap. 81 RESOLVE REVIVING AND CONTINUING THE UNPAID SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY INTO THE CONDITIONS AT PENAL INSTITUTIONS WITHIN THE COMMONWEALTH.

Resolved, That the unpaid special commission established by chapter fifty-four of the resolves of nineteen hundred and fifty-three is hereby revived and continued for the purpose of making an investigation and study of conditions at penal institutions within the commonwealth, and such related matters as may be necessary, with a view to making such changes in the laws and regulations as will be in the best interests of the public. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings and may call upon officials of the commonwealth or other subdivisions thereof for such information as it may require in the course of its investigation and study. Said commission may expend for clerical and other services and expenses such sums as may be appropriated therefor, and shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the twenty-sixth of May in the current year. *Approved May 26, 1954.*

Chap. 82 RESOLVE AUTHORIZING A JOINT BOARD TO STUDY THE FEASIBILITY OF DRAINING CERTAIN LANDS NEAR THE CHARLES RIVER, THE NEPONSET RIVER AND MILL CREEK AND DEVELOPING THE SAME.

Resolved, That the metropolitan district commission, the department of public works, the department of public health and the department of commerce, acting as a joint board, are hereby authorized and directed to study the feasibility of draining the lands adjacent to the Charles river in the areas of Newton, Needham, West Roxbury, Brookline, Dedham and Dover by water controls in said river or otherwise, and the lands adjacent to the Neponset river in the areas of Hyde Park, Readville, Dedham, Canton, Westwood, Norwood, Dorchester, Neponset, Milton and Sharon by means of water controls in said river or otherwise; and Mill Creek in the cities of Chelsea and Revere and the feasibility

of draining the land situated between the Boston College high school and the Savin Hill Yacht Club, in the Dorchester district of the city of Boston and the Mystic River lowlands in Somerville and Medford, and the advisability, in view of existing uses of land bordering and neighboring such areas, of developing them for highway, health, recreation, school, park, business, industry, wildlife reservation or other public or private purposes. Said joint board shall report to the general court the results of its study, and its recommendations as to the most appropriate uses of said lands, if any, with plans and estimates of the cost of any works or improvements, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year. Said joint board may expend for the purposes of this resolve such sums as may be appropriated therefor.

Approved May 27, 1954.

RESOLVE PROVIDING FOR A PROPER REPRESENTATION OF THE COMMONWEALTH AT THE STATE CONVENTION OF THE AMERICAN VETERANS OF WORLD WAR II, AMVETS TO BE HELD IN THE CITY OF FALL RIVER IN THE CURRENT YEAR. *Chap. 83*

Resolved, That, in order that the commonwealth may be properly represented on the occasion of the state convention of the American Veterans of World War II, AMVETS to be held in the city of Fall River in the current year, and to ensure, in arranging entertainment and other events in connection therewith, proper co-operation between the Massachusetts Department of the American Veterans of World War II, AMVETS and the commonwealth, after an appropriation has been made therefor, there may be expended, with the approval and under the direction of the governor and council, a sum not exceeding one thousand dollars.

Approved May 27, 1954.

RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PREVENTION OF CHILD DELINQUENCY, THE REHABILITATION OF DELINQUENT CHILDREN AND AS TO THE ADVISABILITY OF ESTABLISHING INSTITUTIONS FOR THE TREATMENT OF SUCH CHILDREN. *Chap. 84*

Resolved, That the unpaid special commission, established by chapter seventy-one of the resolves of nineteen hundred and forty-seven and most recently revived and continued by chapter forty-eight of the resolves of nineteen hundred and fifty-four, is hereby revived and continued for the purpose of continuing its investigation and study relative to the prevention of child delinquency, the rehabilitation of delinquent children, and as to the advisability of establishing institutions for the treatment of such children. The com-

mission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, and may expend the balance available in item 0246-00 of section two of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study hereunder, and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing one or more reports with the clerk of the house of representatives at such time or times as the commission may elect; provided, that the commission shall so file its final report on or before the last Wednesday of December in the current year.

Approved May 27, 1954.

Chap. 85 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE SPECIAL UNPAID COMMISSION ESTABLISHED WITHIN THE COMMISSION ON ADMINISTRATION AND FINANCE RELATIVE TO GROUP INSURANCE FOR STATE EMPLOYEES AND OTHER MATTERS PERTAINING THERETO.

Resolved, That the special unpaid commission established within the commission on administration and finance by section twenty-seven A of chapter one hundred and seventy-six A of the General Laws, inserted by chapter five hundred and sixteen of the acts of nineteen hundred and fifty-one, to provide a system of prepaid general or blanket accident, hospitalization, medical and surgical insurance for the protection of the officers and employees of the commonwealth and their dependents, is hereby authorized to make an investigation and study relative to the merits of partial financial participation by the commonwealth in group hospital, medical, surgical, accident and life insurance on behalf of its employees, and the members and employees of the general court. Said commission shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 291 and current house documents numbered 1211 and 1212. Said commission may hold hearings, and may expend for clerical and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the senate not later than the last Wednesday of December in the current year. *Approved May 28, 1954.*

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE YOUTH SERVICE BOARD OF THE LAWS OF THE COMMONWEALTH RELATING TO THE CUSTODY OF WAYWARD AND DELINQUENT CHILDREN AND JUVENILE OFFENDERS WHILE AWAITING ARRAIGNMENT OR DISPOSITION OF THEIR CASES. *Chap. 86*

Resolved, That the youth service board is hereby authorized to make an investigation and study of the laws of the commonwealth relative to the custody of wayward and delinquent children and juvenile offenders while awaiting arraignment or disposition of their cases. Said board shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate not later than the first Wednesday of December in the current year.

Approved May 28, 1954.

RESOLVE DESIGNATING THE PARK AREA IN THE BREAKHEART RESERVATION IN THE TOWN OF SAUGUS AS THE MAJOR GEORGE C. PARCHER PARK. *Chap. 87*

Resolved, That the area in the Breakheart reservation in the town of Saugus to be set aside as a park area shall be known and designated as the Major George C. Parcher Park in honor of the memory of the first commander of Saugus Post 210, The American Legion, Incorporated. The metropolitan district commission is hereby authorized and directed to erect a suitable tablet bearing said designation in said park area.

Approved June 1, 1954.

RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION TO STUDY AND INVESTIGATE MEANS AND METHODS FOR IMPROVING PROTECTION AGAINST FIRE IN HOMES AND INSTITUTIONS FOR THE SICK AND AGED AND INCREASING THE MEMBERSHIP AND SCOPE THEREOF. *Chap. 88*

Resolved, That the unpaid special commission established by chapter fifty-two of the resolves of nineteen hundred and fifty-three is hereby revived and continued for the purpose of making an investigation and study of means and methods of improving protection against fire in homes and institutions for the sick and aged and all matters pertaining to the general welfare of patients therein; that the membership of said commission be increased by the addition thereto of four members to be designated by the governor.

Said commission is hereby authorized and directed to investigate and study all matters pertaining to the general welfare of patients and conditions and means of fire protection and fire prevention in hospitals, sanitariums, convalescent and nursing homes, infirmaries maintained in cities and towns, and boarding homes for the aged licensed by and under the supervision of the department of public

health in accordance with the provisions of sections seventy-one to seventy-three, inclusive, of chapter one hundred and eleven of the General Laws; to investigate and study the various laws, regulations, codes and ordinances governing their construction, alteration, inspection and maintenance, with a view to removing conflicts and inconsistencies and co-ordinating and unifying them, in order that matters of administration and enforcement shall be simplified and strengthened, and that proprietors shall not be burdened with needless expense due to confusion and conflict of authority and responsibility.

Said commission may call upon the departments, commissions, boards and officers of the commonwealth for such information as it may desire in the course of its investigation and study. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, may require by summons the attendance of witnesses and the production of books and papers, and may expend for clerical and other services and expenses such sums as may be appropriated therefor.

Said commission shall report to the general court the results of its study and investigation and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday in December in the current year.

Approved June 1, 1954.

Chap. 89 RESOLVE AUTHORIZING THE CONTINUANCE OF THE INVESTIGATION RELATIVE TO THE IMPROVEMENT OF CONDITIONS AT MUSQUASHIAT POND IN THE TOWN OF SCITUATE.

Resolved, That the department of public health, the department of public works and the state reclamation board, authorized and directed as a joint board by chapter forty of the resolves of nineteen hundred and fifty-three to consider and formulate a plan for the improvement of the conditions of Musquashiat pond located in the town of Scituate, are hereby authorized and directed to continue said investigation and survey. The said joint board shall report to the general court the final results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry out the same by filing a report with the clerk of the house of representatives on or before the first Wednesday in December in nineteen hundred and fifty-four. For the purposes of carrying out the provisions of this resolve the said joint board may expend such sums as may hereafter be appropriated therefor.

Approved June 1, 1954.

Chap. 90 RESOLVE RELATIVE TO THE FISCAL SURVEY COMMISSION.

Resolved, That the time for the Fiscal Survey Commission to submit its final report, under authority of chapter twenty

of the resolves of the current year, is hereby extended to February fifteenth, nineteen hundred and fifty-five.

Approved June 1, 1954.

RESOLVE AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE RELOCATION OF ROUTE 140 FROM THE CITY OF NEW BEDFORD TO THE FALL RIVER-BOSTON EXPRESSWAY. *Chap. 91*

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study relative to the relocation of Route 140 from the city of New Bedford to the Fall River-Boston expressway and Route 140 from Route 20 north to Routes 12 and 110 and said department is authorized to include in its study that portion of Route 140 from Taunton to Winchendon. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved June 2, 1954.

RESOLVE PROVIDING THAT THE JUDICIAL COUNCIL CONSIDER THE ADVISABILITY OF AUTHORIZING THE ISSUANCE OF SEARCH WARRANTS TO SEIZE CERTAIN BOOKS AND PAPERS OF SUBVERSIVE ORGANIZATIONS. *Chap. 92*

Resolved, That the judicial council be requested to consider the advisability of authorizing the issuance of search warrants to seize books, papers, files, membership lists or funds belonging to, being used or intended to be used by, a subversive organization, as defined in section sixteen of chapter two hundred and sixty-four of the General Laws, or any other written or printed documents, papers or pictorial representations which advocate, advise, counsel or incite the overthrow by force, violence or other unlawful means the government of the commonwealth or of the United States, and to include its conclusions and recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 7, 1954.

RESOLVE FURTHER CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PROBLEMS OF TAXATION. *Chap. 93*

Resolved, That the unpaid special commission, known as the special commission on taxation, established by chapter eighty-six of the resolves of nineteen hundred and forty-eight, whose membership was increased by chapter fifty-one of the resolves of nineteen hundred and forty-nine, and which was

most recently continued by chapter twenty-nine of the resolves of nineteen hundred and fifty-four, is hereby further continued for the purpose of continuing its investigation and study relative to the problems of taxation. Said commission shall make an investigation and study of the general subject of taxation in the commonwealth, including among other things the assessment and collection of taxes and the distribution of such taxes. Said commission shall also make such investigation and study with a view to the revision and codification of the laws relating to taxation and to the recommending of such changes therein and additions thereto as may appear necessary or desirable.

Said commission may hold public hearings and may call upon officials of the commonwealth or its subdivisions for such information as it may desire in the course of its investigation and study, shall be provided with quarters in the state house or elsewhere and shall have the power to summon witnesses and to require the production of books, records, contracts and papers and the giving of testimony under oath. Said commission may expend for expert, clerical and other services and expenses the unexpended balance of item 0239-00 of section two of chapter six hundred and thirty-two of the acts of nineteen hundred and fifty-two and of item 0239-00 of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives from time to time and by filing a final report on or before the first Wednesday in April in the year nineteen hundred and fifty-five.

Approved June 7, 1954.

Chap. 94 RESOLVE PROVIDING FOR THE PLACING OF A BUST OF THE LATE JUSTICE LOUIS DEMBITZ BRANDEIS IN THE STATE HOUSE OR ON THE GROUNDS THEREOF.

Resolved, That the art commission of the commonwealth is hereby authorized to accept on behalf of the commonwealth the gift of a bust by Eleanor Platt of the late justice Louis Dembitz Brandeis, associate justice of the United States supreme court and the father of savings bank life insurance, to be placed in such location in the state house or on the grounds thereof as may be selected by the governor, with the approval of said art commission.

Approved June 7, 1954.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY
A SPECIAL COMMISSION RELATIVE TO THE ERECTION WITHIN
THE COMMONWEALTH OF A STATUE OR OTHER SUITABLE
MEMORIAL TO COMMEMORATE THE LATE MAURICE J. TOBIN. *Chap. 95*

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, two members of the house of representatives to be designated by the speaker thereof, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the subject matter of current senate documents numbered 165 and 524 and current house document numbered 1110, relative to the erection within the state house or elsewhere within the commonwealth of a statue or other suitable memorial to commemorate the late Maurice J. Tobin. Said commission shall be provided with quarters in the state house or elsewhere, may travel within and without the commonwealth and may expend for clerical and expert services, and for such plans, designs and models, and for such other services and expenses as may be necessary or desirable to accomplish the purposes of this resolve such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday of December in the current year.

Approved June 8, 1954.

RESOLVE PROVIDING FOR A PROPER REPRESENTATION OF THE
COMMONWEALTH AT THE NATIONAL CONVENTION OF THE
ARMY AND NAVY LEGION OF VALOR OF THE UNITED STATES
IN THE YEAR NINETEEN HUNDRED AND FIFTY-FIVE IN THE
EVENT THAT THE SAME IS HELD IN THE CITY OF BOSTON. *Chap. 96*

Resolved, That, in order that the commonwealth may be properly represented on the occasion of the national convention of The Army and Navy Legion of Valor of the United States in the year nineteen hundred and fifty-five, if the same is held in the city of Boston, and in such case to ensure, in arranging entertainments and other events in connection therewith, proper co-operation between said organization and the commonwealth, there may, after an appropriation has been made, and if such convention is to be held in said city as aforesaid, be expended, with the approval and under the direction of the governor and council, such sums as may be appropriated therefor.

Approved June 9, 1954.

Chap. 97 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PLANNING, ZONING AND SUBDIVISION CONTROL.

Resolved, That an unpaid special commission, to consist of three members of the senate to be designated by the president thereof, five members of the house of representatives to be designated by the speaker thereof, and four persons to be appointed by the governor, one of whom shall be a builder of dwelling houses, one of whom shall be a broker of residential real estate, one of whom shall be a representative of the planning profession, and one of whom shall be a member of the planning division of the department of commerce, hereinafter called the commission, is hereby established for the purpose of making an investigation and study of the advisability and feasibility of establishing a state board of appeals to which appeals may be made from decisions of local boards in planning, zoning and subdivision control matters, and in matters relating to land development, subdivision of land and the building of dwelling houses, and any other matter pertaining to planning, zoning and subdivision control. Said commission shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 59, relative to amending the subdivision control law, 150, relative to the powers and duties of local boards of appeal, and 375, relative to authorizing the preservation of the integrity of official maps; of current house documents numbered 1253, relative to planning boards and the subdivision control law, 1254, providing for an investigation relative to the advisability and feasibility of establishing a state board of appeals in zoning, planning, subdivision, land development, building and related matters, and 2224, relative to planning boards and the subdivision control law, so called. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, may travel within and without the commonwealth, and may expend for legal, clerical and other assistance and for expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the third Wednesday of January, nineteen hundred and fifty-five. *Approved June 9, 1954.*

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY
A SPECIAL COMMISSION RELATIVE TO THE DEVELOPMENT
OF A CERTAIN AREA OF THE BACK BAY SECTION OF THE
CITY OF BOSTON. *Chap. 98*

Resolved, That an unpaid special commission, to consist of three members of the senate to be designated by the president thereof, five members of the house of representatives to be designated by the speaker thereof, three persons to be appointed by the governor, and two persons to be appointed by the mayor of the city of Boston, is hereby established for the purpose of making an investigation and study relative to the subject matter of current house document numbered 2936, providing for the development of a certain area of the Back Bay section of the city of Boston. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings and for the purposes of this resolve may expend such sums as may be appropriated therefor not to exceed the sum of fifteen hundred dollars. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the senate on or before the third Wednesday of January in the year nineteen hundred and fifty-five.

Approved June 9, 1954.

RESOLVE REVIVING AND CONTINUING AND INCREASING THE
MEMBERSHIP AND SCOPE OF THE SPECIAL COMMISSION
ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY
RELATIVE TO THE PROPER CLEARANCE OF TRACKS IN RAIL-
ROAD YARDS. *Chap. 99*

Resolved, That the unpaid special commission established by chapter ninety-four of the resolves of nineteen hundred and fifty-three is hereby revived and continued for the purpose of continuing its investigation and study relative to the proper clearance of tracks in railroad yards. The membership of said commission shall be increased by the addition thereto of one member of the senate to be designated by the president thereof and two members of the house of representatives to be designated by the speaker thereof. Said commission shall, in the course of its investigation and study consider the subject matter of current senate document numbered 564, relative to physical examination of certain railroad employees, and of the investigation and study proposed by current house document numbered 2725, relative to the overlapping of transportation facilities in eastern Massachusetts. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, and may expend for clerical and other services and expenses the balance available in item 0273-00 of chapter six hundred and seventy-five of the acts of nineteen hundred

and fifty-three. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate not later than the third Wednesday of January in the year nineteen hundred and fifty-five.

Approved June 9, 1954.

Chap.100 RESOLVE ESTABLISHING AN UNPAID SPECIAL COMMISSION TO STUDY AND REVISE THE LAWS RELATING TO INDUSTRIAL HOMEWORK.

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, is hereby established to make a survey and study of the laws of the commonwealth relating to industrial homework, with a view to the revision and codification of said laws and to the recommending of such changes therein and additions thereto as may appear necessary or desirable. Said commission shall hold hearings, shall be provided with quarters in the state house or elsewhere, and may expend for expenses and legal, clerical and other assistance such sums as may be appropriated therefor. Said commission shall report to the general court the results of its survey and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the third Wednesday in January, nineteen hundred and fifty-five.

Approved June 9, 1954.

Chap.101 RESOLVE IN FAVOR OF PERCIVAL H. MOSHER.

Resolved, That, for the purpose of promoting the public good, and in consideration of his long and meritorious service as an employee of the metropolitan district commission, there shall be allowed and paid out of the state treasury, subject to appropriation from the metropolitan district commission funds, to Percival H. Mosher of Boston, a payment of fifteen hundred dollars per annum for five years beginning July first, nineteen hundred and fifty-four, payable in equal monthly installments.

Approved June 9, 1954.

Chap.102 RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY BY THE FISCAL SURVEY COMMISSION.

Resolved, That the unpaid special commission, known as the fiscal survey commission, established by chapter twenty of the resolves of nineteen hundred and fifty-four, shall, in making its investigation and study, consider the

subject matter of current house documents numbered 703, relative to charges for support of inmates in state sanatoria, and 2551.

Approved June 9, 1954.

RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL *Chap.103*
COMMISSION ON MILK MARKETING.

Resolved, That the unpaid special commission, established by chapter twenty-one of the resolves of nineteen hundred and fifty-three, is hereby revived and continued for the purpose of continuing the investigation and study of the whole matter of milk marketing and the proper enforcement of laws relating thereto and any related matters. Said commission shall in the course of its investigation and study consider the subject matter of current senate document numbered 82, relative to the labeling of milk containers; of current house document numbered 1145, relative to the selling price of all milk produced in this commonwealth; of current house document numbered 2767, to create an authority to promote research and education in dairy products and to provide for payments to support the expense of said authority; and of current house document numbered 2886, relating to milk and cream inspection, containers, ingredients, standards and licensing; ice cream ingredients; and the sale of oleomargarine. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, and shall have the power to summon witnesses and to require the production of books, records and papers, and the giving of testimony under oath, and may travel within or without the commonwealth.

The commission may expend for the purposes of this resolve the balance available in item 0289-00 of section two of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three, and such additional sums as may be hereafter appropriated therefor.

The commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives before the third Wednesday in January, nineteen hundred and fifty-five.

Approved June 9, 1954.

RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION *Chap.104*
AND STUDY OF CERTAIN MATTERS BY THE FISCAL SURVEY
COMMISSION.

Resolved, That the fiscal survey commission, established by chapter twenty of the resolves of nineteen hundred and fifty-four for the purpose of investigating and studying certain fiscal practices and policies of the commonwealth

shall, in making its investigation and study, consider the subject matter of current senate document numbered 248, relative to increasing state aid for schools.

Approved June 9, 1954.

Chap.105 RESOLVE IN FAVOR OF THE WIDOW OF HAROLD TOMPKINS.

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to the widow of the late Harold Tompkins, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the nineteen hundred and fifty-four session of the general court.

Approved June 9, 1954.

Chap.106 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF PLANNING IN THE DEPARTMENT OF COMMERCE RELATIVE TO THE IMPROVEMENT OF TRUCK AND BUS TRANSPORTATION.

Resolved, That the division of planning in the department of commerce is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 892, relative to the improvement of truck and bus transportation. Said division shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved June 10, 1954.

Chap.107 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF CERTAIN LAWS RELATIVE TO CITY BUDGETS.

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, one of whom shall be a mayor or city manager and one of whom shall be a municipal employee, is hereby established for the purpose of investigating and studying the provisions of chapter forty-four of the General Laws relative to budgetary procedure in cities, with a view to making such changes therein or additions thereto as may appear necessary or desirable. In the course of its study said commission shall consider the subject matter of current house document numbered 1278. Said commission may expend for clerical and other expenses such sums as may be appropriated therefor, and shall be furnished with quarters in the state house or elsewhere. Said commission shall report to the general court the results of its investiga-

tion and study, and its recommendations, if any, together with drafts of legislation necessary to carry the same into effect, by filing the same with the clerk of the senate on or before the second Wednesday in January in the year nineteen hundred and fifty-five. *Approved June 10, 1954.*

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY AN UNPAID SPECIAL COMMISSION RELATIVE TO THE METHOD OF COMMITTING PERSONS TO MENTAL HOSPITALS, AND THE RIGHTS, CARE, TREATMENT AND RELEASE OR DISCHARGE OF PERSONS SO COMMITTED. *Chap.108*

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and four persons to be appointed by the governor, is hereby established to make an investigation and study of the method of committing persons to mental hospitals, and the rights, care, treatment and release or discharge of persons so committed. Said commission shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 366. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, and may expend for clerical and other assistance and for expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the third Wednesday of January in the year nineteen hundred and fifty-five.

Approved June 10, 1954.

RESOLVE AUTHORIZING THE COMMITTEE ON TRANSPORTATION TO SIT DURING THE RECESS OF THE GENERAL COURT TO INVESTIGATE CERTAIN MATTERS RELATING TO TRANSPORTATION WITHIN THE COMMONWEALTH. *Chap.109*

Resolved, That the committee on transportation is hereby authorized to sit during the recess of the general court for the purpose of investigating and studying all problems relating to transportation by rail, bus and plane within the commonwealth. Said committee, in the course of its investigation and study, shall study the operations of the New York, New Haven and Hartford Railroad and the Boston and Albany Railroad, which is leased to the New York Central Railroad, and the investigation and study proposed by current senate document numbered 756, relative to creating the Massachusetts Storehouse Terminal Authority. Said committee may call upon the department of public utilities and other boards, commissions and officers of the commonwealth for such information as it may desire in the course of

its investigation. Said committee shall be provided with quarters in the state house or elsewhere, shall hold public hearings, shall have the power to summon witnesses and to require the production of books, records, contracts and papers and the giving of testimony under oath, and may expend for expert, clerical and other services and expenses such sums as may be appropriated therefor. Said committee shall make a report to the general court of the results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate not later than the third Wednesday of January, nineteen hundred and fifty-five.

Approved June 10, 1954.

Chap.110 RESOLVE FURTHER CONTINUING AND INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE RETARDED CHILDREN AND THE TRAINING FACILITIES AVAILABLE THEREFOR.

Resolved, That the unpaid special commission established by chapter seventy-seven of the resolves of nineteen hundred and fifty-two and revived and continued by chapter twenty-seven of the resolves of nineteen hundred and fifty-three, is hereby revived and continued for the purpose of continuing its investigation and study relative to the number of retarded children in the commonwealth and the training facilities available for their instruction. Said commission shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 247, relative to providing special classes for instruction of physically handicapped children in the public schools. Said commission shall be provided with suitable quarters and may expend for experts, clerical and other services and expenses the balance available in item 0245-00 of section two of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the third Wednesday of January, nineteen hundred and fifty-five.

Approved June 10, 1954.

Chap.111 RESOLVE REVIVING AND CONTINUING THE STATE OFFICE BUILDING COMMISSION.

Resolved, That the unpaid special commission established by chapter ninety-nine of the resolves of nineteen hundred and fifty-three is hereby revived and continued for the purpose of investigating and studying the cost of leasing pri-

vately owned buildings by the commonwealth, the necessity of a new state office building or buildings and the proper facilities for the storage and preservation of public records and documents and the historic documents in the archives of the commonwealth. The preliminary investigation of the commission shall include site selection, surveys, engineering and planning for said projects. The term of the appointment of members appointed to the commission originally by the governor, the president of the senate and the speaker of the house of representatives shall be for the period of site selection, engineering and planning and construction of the building. In the event of a vacancy by resignation, death or any other cause in the term of an original appointee, the vacancy shall be filled by the officer who made the original appointment. Said commission may call upon any department, commission, board or officer of the commonwealth, and in the name of the commonwealth consult with other state governments and the federal government for such information as it may desire in the course of its investigation. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within or without the commonwealth, and may expend for legal, clerical and other assistance, and for expenses, the balance available in item 0270-00 of section two of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three, and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its studies, together with plans and estimates of costs and drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives from time to time, but the final report shall be filed not later than the second Wednesday in January, nineteen hundred and fifty-five. *Approved June 10, 1954.*

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE ASSIGNMENT OF DISTRICT COURT JUDGES TO SIT IN THE SUPERIOR COURT TO EXPEDITE THE DISPOSITION OF EMINENT DOMAIN CASES. *Chap.112*

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 794, relative to providing for the assignment of district court judges to sit in the superior court to expedite the disposition of eminent domain cases, and the question of district court judges sitting in the superior court on other civil cases to expedite the disposition in the superior court of such other civil cases, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 10, 1954.

Chap.113 RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY RELATIVE TO HIGH BLOOD PRESSURE WITH A VIEW TO PROVIDING MEANS FOR THE CONTROL THEREOF AND FURTHER EXTENDING THE EXISTENCE OF SAID COMMISSION.

Resolved, That the membership of the unpaid special commission established by chapter thirty-two of the resolves of nineteen hundred and forty-nine and most recently continued by chapter eighty-four of the resolves of nineteen hundred and fifty-two, to make an investigation and study relative to high blood pressure and the problem of its control, be increased by the addition thereto of the commissioner of public health, ex officio, and a registered physician who shall be a doctor of medicine skilled in public health and clinical medicine, to be appointed by the governor. The existence of said commission is hereby further extended to the fourth Wednesday of January, nineteen hundred and fifty-six, and the members thereof on the first Wednesday of December in the current year shall continue as members until said date, notwithstanding that any such member has ceased to be a member of the general court. Said commission shall continue to report to the general court from time to time as to the progress of its work, and such reports shall include such recommendations as it may desire to make, by filing the same with the clerk of the house of representatives, and it shall make a final report to the general court, together with its findings and recommendations, by filing the same with said clerk not later than the fourth Wednesday of January, nineteen hundred and fifty-six. Said commission may expend the balance available in item 0253-00 of section two of chapter six hundred and thirty-two of the acts of nineteen hundred and fifty-two and such other sums as may be appropriated therefor.

Approved June 10, 1954.

Chap.114 RESOLVE RELATIVE TO ACCRUED OVERTIME FOR PUBLIC WORKS EMPLOYEES.

Resolved, That, for the purpose of discharging a moral obligation and notwithstanding any provision of law to the contrary, there shall be allowed and paid out of the state treasury to employees of the department of public works who were working for said department on April first, nineteen hundred and fifty-four and earning a salary of four thousand and eighty dollars or less a year on April first, nineteen hundred and forty-eight in said department, for overtime in accordance with the schedule filed with the joint committee on ways and means, approved by said committee, a copy of which shall be filed with the state comptroller; provided, that no employee shown on said schedule shall receive a sum exceeding three hundred dollars; and further provided, that no payment shall be made to said employees until there shall have been filed with the comptroller a release signed by said employees of all claims for overtime

compensation for services rendered prior to July first, nineteen hundred and fifty-three. The amounts authorized by this resolve shall be paid from funds previously reserved for accrued overtime and from account 2900-02.

Approved June 10, 1954.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY
A SPECIAL COMMISSION RELATIVE TO THE ERECTION OF A
STEEL MILL OR MILLS AND AN ALUMINUM MILL OR MILLS
WITHIN THE COMMONWEALTH. Chap.115

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and two members to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the possibility of development of the steel and aluminum industries, including a steel mill or mills, and an aluminum mill or mills, within the commonwealth. Said commission shall, in the course of its investigation and study, consider the subject matter of so much of current house document numbered 2375, as relates to the erection of a steel mill in the commonwealth. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within or without the commonwealth and may expend for legal, clerical and other assistance such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives not later than the third Wednesday of January, nineteen hundred and fifty-five.

Approved June 10, 1954.

RESOLVE IN FAVOR OF JAMES J. MURPHY.

Chap.116

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, there be allowed and paid out of the state treasury to James J. Murphy of Fall River, formerly a member of the state police, who was injured in the performance of his duties as a member of the state police on June twelfth, nineteen hundred and fifty-two, a payment of twelve hundred dollars per year, payable in equal monthly instalments, for a period of five years commencing June first, nineteen hundred and fifty-four. Said payment shall cease upon the death of said Murphy if it occurs prior to the expiration of said period of five years. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said James J. Murphy that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the maximum amount payable hereunder.

Approved June 10, 1954.

Chap.117 RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY BY THE SPECIAL COMMISSION ON TAXATION.

Resolved, That the unpaid special commission, known as the special commission on taxation, established by chapter eighty-six of the resolves of nineteen hundred and forty-eight and most recently continued by chapter ninety-three of the resolves of the current year, shall, in making its investigation and study, consider the subject matter of the investigation and study proposed by current house documents numbered five hundred and fifty-six, relative to the problems of farm taxation, and twenty-nine hundred and fifty-two, relative to the placing of tax stamps on cigarette packages.

Approved June 10, 1954.

Chap.118 RESOLVE CONTINUING THE SPECIAL COMMISSION TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ISSUANCE OF REVENUE BONDS BY MUNICIPALITIES OF THE COMMONWEALTH UNDER CERTAIN CONDITIONS.

Resolved, That the unpaid special commission established by chapter fifty-nine of the resolves of nineteen hundred and fifty-three for the purpose of making an investigation and study of all matters pertaining to the issuance of revenue bonds by municipalities of the commonwealth for the purpose of financing a program of acquisition, operation and maintenance of off-street parking facilities within said municipalities is continued. Said commission shall be provided with quarters in the state house or elsewhere and may require by summons the attendance and testimony of witnesses and the production of books and papers and may expend for experts, clerical and other services and expenses the balance available in item 0292-00 of section 2 of chapter 675 of the acts of 1953 and such other sums as may be appropriated therefor. Said commission shall have the assistance and co-operation of the director of accounts and such other departments, boards, commissions and officers of the commonwealth as it may request. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the house of representatives not later than the third Wednesday of January, nineteen hundred and fifty-five.

Approved June 10, 1954.

Chap.119 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE TRAINING OF MEDICAL LABORATORY TECHNOLOGISTS.

Resolved, That an unpaid special commission, to consist of two members of the senate, to be designated by the president thereof, three members of the house of representatives, to be designated by the speaker thereof, and four persons to

be appointed by the governor, of whom one shall be a member of the Massachusetts Central Health Council Medical Technologist Study Committee, one shall be a pathologist recommended by the Massachusetts Section of the New England Pathological Society, one shall be a medical technologist recommended by the Massachusetts Association of Medical Technologists, Inc., and one shall be a hospital administrator recommended by the Massachusetts Hospital Association, is hereby established for the purpose of making an investigation and study relative to the training of medical laboratory technologists. Said commission shall be provided with quarters in the state house or elsewhere and may expend for clerical and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendation into effect by filing the same with the clerk of the house of representatives not later than the third Wednesday in January, nineteen hundred and fifty-five. *Approved June 10, 1954.*

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY
AN UNPAID SPECIAL COMMISSION RELATIVE TO THE PROBLEMS OF FARM TAXATION. *Chap.120*

Resolved, That an unpaid special commission consisting of one person to be appointed by the president of the senate, two persons to be appointed by the speaker of the house of representatives and four persons to be appointed by the governor, shall investigate and study the entire subject of state, county and local taxation as they apply to farmers and the industry of agriculture.

The studies of the commission shall be directed toward recommending such changes in the system of taxation as may protect agriculture from bearing any disproportionate part of the whole tax burden of the commonwealth, and from unequal competition from outside the commonwealth.

The commission may hold hearings and may call upon the commissioner of corporations and taxation and other departments, commissions and officers of the commonwealth and of the several counties and municipalities for such information as it may desire in the course of its investigation.

The commission shall be provided with quarters in the state house or elsewhere, shall hold public hearings, and shall have the power to summon witnesses and require the production of books, records, contracts and papers and the giving of testimony under oath. The commission may expend for expert, clerical and other services and expenses such sums as may be appropriated.

Said commission shall report to the general court the results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the

clerk of the house of representatives not later than January fifteenth, nineteen hundred and fifty-five.

Approved June 10, 1954.

Chap.121 RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL UNPAID COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY THE ADVISABILITY OF ESTABLISHING THE UNIFORM COMMERCIAL CODE.

Resolved, That the special unpaid commission, established by chapter sixty-one of the resolves of nineteen hundred and fifty-three, for the purpose of making an investigation and study of the advisability of establishing the uniform commercial code is hereby revived and continued. Said commission shall also consider the subject matter contained in the appendix to the minority report of current house document numbered 2400 relating to the drafting by certain states of a form of a compact relative to the proposed uniform commercial code. Said commission shall be provided with quarters in the state house or elsewhere, may in the performance of its duties travel within and without the commonwealth, may expend for clerical and other services and expenses the balance available in item 0293-00 of section two of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three, and such additional amount as may be appropriated therefor. Said commission shall report to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives not later than the last Wednesday of January, nineteen hundred and fifty-five.

Approved June 10, 1954.

Chap.122 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY AN UNPAID SPECIAL COMMITTEE RELATIVE TO CERTAIN PROVISIONS OF THE INSURANCE LAWS AND MATTERS PERTAINING THERETO.

Resolved, That an unpaid special committee, to consist of three members of the senate to be designated by the president thereof and five members of the house of representatives to be designated by the speaker thereof, is hereby established for the purpose of making an investigation and study relative to certain provisions of the insurance laws, with a view to defining group life insurance and blanket accident and health insurance, and determining the method of distribution of the annual surplus on industrial life insurance policies. Said committee shall in the course of its investigation and study consider the subject matter of current senate documents numbered 285, 287, 288 and 289, and of current house documents numbered 181, 192, 374 and 455. Said committee shall be provided with quarters in the state house or elsewhere, may hold hearings, and may expend for clerical

and other services and expenses the balance remaining in item 0296-00 of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-three and such other sums as may be appropriated therefor. Said committee shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the senate not later than the third Wednesday of January in the year nineteen hundred and fifty-five.

Approved June 10, 1954.

RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO STUDY AND INVESTIGATE COMMUNISM AND SUBVERSIVE ACTIVITIES AND RELATED MATTERS IN THE COMMONWEALTH. *Chap.123*

Resolved, That the unpaid special commission established by chapter eighty-nine of the resolves of nineteen hundred and fifty-three is hereby revived and continued for the purpose of continuing its investigation and study of the extent, character and objects of communism and subversive activities and related matters within the commonwealth; the diffusion within the commonwealth of subversive and un-American propaganda that is instigated from foreign countries, or of a domestic origin, and attacks the principle of the form of government as guaranteed by our constitution and all other questions in relation thereto that would aid the general court in enacting any necessary remedial legislation.

Said commission in making its investigation shall consider all the aspects of such activities, including, but not limiting its investigation thereto, educational, governmental, industrial and political activities. Said commission shall be provided with quarters in the state house or elsewhere, shall hold public hearings, may travel within and without the commonwealth, may sit during the session and recess of the general court, may require by summons the attendance of such witnesses and the production of such books, papers and documents, and take such testimony as it deems necessary.

Upon a majority vote of the commission, summonses shall be issued under the signature of the chairman or vice chairman, and shall be served by an officer of the general court or by any person designated by the commission. The chairman or any member of the commission may administer oaths to witnesses. Every person who behaves in a disorderly or contemptuous manner before such commission shall be deemed guilty of a misdemeanor punishable as provided in section twenty-eight A of chapter three of the General Laws.

The subject of any investigation in connection with which witnesses are summoned shall be clearly stated before the commencement of any hearings and the evidence sought to

be elicited shall be relevant and germane to the subject as so stated.

Any witness summoned at a public hearing and any witness before a private hearing shall have the right to be accompanied by counsel, who shall be permitted to advise the witness while on the witness stand of his rights.

Every witness shall have the opportunity at the conclusion of the examination by the commission to supplement the testimony which he has given by making a written or oral statement, which shall be made part of the record, but such statement shall be confined to matters with regard to which he has previously been examined.

Any person whose name is mentioned or who is specifically identified and who believes that testimony or other evidence given in a public hearing before the commission or any subcommittee thereof or comment made by any member of the commission or its counsel tends to defame him or otherwise adversely affects his reputation, shall be afforded the following privileges: —

(a) He may file with the commission a sworn statement concerning such testimony, evidence or comment, which shall be made part of the record of such hearing.

(b) He may appear personally before the commission and testify in his own behalf.

Said commission, during its investigation, shall have the assistance of the attorney general, the department of education and such other departments, boards, commissions and officers of the state government as may be requested by said commission to assist and co-operate.

Said commission shall report its findings to the general court at such time or times as it may deem advisable, but in any event shall file a final report not later than May fifteenth, nineteen hundred and fifty-five. Such report shall include the name and all other identifying data available to the commission, of any individual, concerning whom, the commission, during the course of the investigation, has received creditable evidence that such individual was or is a member of the communist party, a communist or a subversive. Said commission may expend for expenses and legal, clerical and other assistance, the balance available in item 0298-00 of section two of chapter one hundred and ninety-seven of the acts of the current year and such sums as may hereafter be appropriated therefor.

Approved June 10, 1954.

Chap.124 RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO CERTAIN CHANGES IN THE RETIREMENT LAW.

Resolved, That the unpaid special commission, established by chapter eighty of the resolves of nineteen hundred and fifty-three and revived and continued by chapters twenty-three and sixty-two of the resolves of nineteen hundred and

fifty-four, is hereby further revived and continued for the purpose of continuing its survey and study of the laws of the commonwealth relating to retirement systems and pensions with a view to the revision, codification and simplification of chapter thirty-two of the General Laws. In the course of its investigation, the commission shall investigate and study all non-contributory as well as contributory retirement and pension plans and systems and also the subject matter of current house document numbered 689, to establish in favor of Charles Judd Farley and Joseph H. Gillis certain creditable service allowance under the state retirement system. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony by witnesses and the production of books and papers, may call on state officials and department heads for advice and assistance, may travel within the commonwealth, and may expend for experts, clerical and other services and expenses the balance available in item 0267-00 of section 2 of chapter 675 of the acts of 1953 and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives not later than the third Wednesday in January, nineteen hundred and fifty-five.

Approved June 10, 1954.

RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED FOR THE PURPOSE OF MAKING AN INVESTIGATION AND STUDY RELATIVE TO THE USE OF TELEVISION FOR EDUCATIONAL PURPOSES.

Chap. 125

Resolved, That the unpaid special commission, established by chapter ninety-six of the resolves of nineteen hundred and fifty-two, revived and continued by chapter seven of the resolves of nineteen hundred and fifty-three, and further revived and continued by chapter fifty-one of the resolves of nineteen hundred and fifty-four, is hereby further revived and continued for the purpose of continuing its investigation and study relative to the use of television for educational purposes. Said commission may, in the course of its investigation and study, conduct such engineering and other surveys as it deems necessary to petition the Federal Communications Commission to allocate and reserve additional television channels for non-commercial educational television purposes in central Massachusetts, the Connecticut valley, and Berkshire county, and to prepare the necessary application or applications for the utilization of the non-commercial television channel or channels allocated to Massachusetts. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of wit-

nesses and the production of books and papers, may travel within and outside the commonwealth, and may expend for clerical, engineering, legal and other services the unexpended balance available in item 0229-00 of section two of chapter six hundred and thirty-two of the acts of nineteen hundred and fifty-two and such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study hereunder, and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing one or more reports with the clerk of the senate at such time or times as the commission may elect; provided, that the commission shall so file its final report on or before the third Wednesday in January, nineteen hundred and fifty-five.

Approved June 10, 1954.

Chap. 126 RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL COMMISSION TO STUDY THE ESTABLISHMENT OF A STATE MEDICAL AND DENTAL SCHOOL, INCREASING THE SCOPE OF SAID COMMISSION, AND FIXING THE TIME WITHIN WHICH SAID COMMISSION SHALL FILE ITS FINAL REPORT.

Resolved, That the unpaid special commission established by chapter seventy of the resolves of nineteen hundred and fifty-one as most recently revived and continued by chapter one of the acts and resolves of nineteen hundred and fifty-four, to make a study and investigation relative to the establishment of a state medical and dental school under the jurisdiction of the University of Massachusetts, is hereby revived and continued for the purpose of continuing its investigation and study relative to the establishment of a medical and dental school. Said commission shall study the establishment of a New England Board of Education, and the adoption of proposed compacts among the New England states authorizing co-operative planning in the field of medicine, dentistry, veterinary medicine and technical, professional, graduate training.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, may travel within and without the commonwealth, and may expend for legal, clerical and other assistants the balance of the amount appropriated in item 7613-08 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-two and such additional sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate from time to time and by filing a final report not later than the first Wednesday of February in nineteen hundred and fifty-five.

Approved June 10, 1954.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Four.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOUR-YEAR TERMS FOR THE GOVERNOR, LIEUTENANT-GOVERNOR, SECRETARY, TREASURER AND RECEIVER-GENERAL, ATTORNEY-GENERAL AND AUDITOR OF THE COMMONWEALTH.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

Proposed amendment to the constitution providing four-year terms for the governor, lieutenant-governor, secretary, treasurer and receiver-general, attorney-general and auditor of the commonwealth.

ARTICLE OF AMENDMENT.

ART. . . Article LXIV of the articles of amendment, as amended by Article LXXX, is hereby annulled and the following article is adopted in place thereof: —

ARTICLE LXIV. *Section 1.* The governor, lieutenant-governor, secretary, treasurer and receiver-general, attorney-general and auditor shall be elected quadrennially and councillors, senators and representatives shall be elected biennially. The terms of the governor and lieutenant-governor shall begin at noon on the Thursday next following the first Wednesday in January succeeding their election and shall end at noon on the Thursday next following the first Wednesday in January in the fifth year following their election. If the governor elect shall have died before the qualification of the lieutenant-governor elect, the lieutenant-governor elect upon qualification shall become governor. If both the governor elect and the lieutenant-governor elect shall have died both said offices shall be deemed to be vacant and the provisions of Article LV of the Amendments to the Constitution shall apply. The terms of the secretary, treasurer and receiver-general, attorney-general and auditor shall begin with the third Wednesday in January succeeding their election and shall extend to the third Wednesday in January in the fifth year following their election and until their successors are chosen and qualified. The terms of the councillors shall begin at noon on the Thursday next following the first Wednesday in January succeeding their election and shall end at noon on the Thursday next following the first Wednesday in January in the third year following their elec-

tion. The terms of senators and representatives shall begin with the first Wednesday in January succeeding their election, and shall extend to the first Wednesday in January in the third year following their election and until their successors are chosen and qualified.

Section 2. The general court shall assemble every year on the first Wednesday in January.

Section 3. The first election to which this article shall apply shall be held on the Tuesday next after the first Monday in November in the year nineteen hundred and fifty-eight. Thereafter, elections for the choice of a governor, lieutenant-governor, secretary, treasurer and receiver-general, attorney-general and an auditor shall be held quadrennially on the Tuesday next after the first Monday in November and elections for the choice of councillors, senators and representatives shall be held biennially on the Tuesday next after the first Monday in November.

IN JOINT SESSION, May 20, 1954.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

IRVING N. HAYDEN,
Clerk of the Joint Session.

NUMBER OF ACTS AND RESOLVES APPROVED,
ACT VETOED BY THE GOVERNOR, AND
ACTS DECLARED EMERGENCY LAWS BY
THE GOVERNOR UNDER AUTHORITY OF
THE CONSTITUTION.

The general court, during its second annual session held in 1954, passed 687 Acts and 126 Resolves, which received executive approval.

The governor returned 1 Act with his objections thereto in writing. Upon said Act his objections were sustained.

One (1) Act entitled "An Act restricting the authority of the attorney general and district attorneys to authorize wire tapping" was passed and laid before the governor for his approval; was returned by him with his objections thereto, to the branch in which it respectively originated; was reconsidered, and the vote being taken on its passage, the objections of the governor thereto notwithstanding, it was rejected, and said act thereby became void.

Seven (7) Acts, entitled, respectively, "An Act establishing the date for payment of the income tax" (Chapter 69); "An Act relative to the appropriation for the administration of the department of mental health" (Chapter 113); "An Act relative to the observance each year of the contribution to the success of the American Revolution of Peter Francisco" (Chapter 124); "An Act making provisions for reports by voluntary associations and certain trusts" (Chapter 254); "An Act relative to the non-criminal disposition of parking violations with respect to parking areas adjacent to or abutting county buildings" (Chapter 302); "An Act authorizing the department of natural resources to acquire a certain parcel of land adjacent to the Pittsfield State Forest" (Chapter 345); and "An Act providing for interlocutory reports to the supreme judicial court in criminal cases" (Chapter 528) were declared to be emergency laws by the governor in accordance with the provisions of the forty-eighth amendment to the Constitution "The Referendum. II. Emergency Measures". Said Chapter 69 thereby took effect at 2.45 P.M. on February 3, 1954; said Chapter 113 at 11.15 A.M. on February 18, 1954; said Chapter 124 at 2.45 P.M. on February 17, 1954; said Chapter 254 at 4.35 P.M. on March 29, 1954; said Chapter 302 at 4.20 P.M. on April 12, 1954; said Chapter 345 at 3.48 P.M. on May 5, 1954 and said Chapter 528 at 11.40 A.M. on June 2, 1954.

The general court was prorogued on Friday, June 11, 1954, at twenty-seven minutes after four o'clock, P.M., the session having occupied 157 days.

ACTS

PASSED BY THE

General Court of Massachusetts

AT AN

EXTRA SESSION

1954

CONVENED ON TUESDAY, THE SEVENTH DAY OF SEPTEMBER,
AND PROROGUED ON WEDNESDAY, THE EIGHTH
DAY OF SEPTEMBER, 1954

ACTS, EXTRA SESSION, 1954.

AN ACT FURTHER DEFINING THE WORD "VETERAN" AS USED IN CERTAIN LAWS AND CLARIFYING THE RIGHTS OF CERTAIN VETERANS. Chap. 688

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to correct certain inequities inherent in chapter six hundred and twenty-seven of the acts of the current year, and to alleviate the confusion caused by divergent constructions placed upon certain provisions in said chapter, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 31 of the General Laws is hereby amended by inserting after section 21, as most recently amended by section 3 of chapter 627 of the acts of the current year, the following section:— *Section 21A.* For the purpose of this chapter only, the word "veteran" shall include any person who meets all the requirements of section twenty-one except that instead of performing ninety days' active service, including ten days' wartime service as so defined, he has performed active service in the armed forces of the United States at any time between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, inclusive. G. L. (Ter. Ed.), 31, new § 21A, added.

SECTION 2. The last paragraph of section 1 of chapter 32 of the General Laws, as most recently amended by section 7 of said chapter 627, is hereby further amended by adding at the end the following:— ; or (c) meets all the requirements of said clause Forty-third except that instead of performing ninety days' active service, including ten days' wartime service, he has performed active service in the armed forces of the United States at any time between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, inclusive. "Veteran" as used in certain laws, further defined.

SECTION 3. Said chapter 32 of the General Laws is hereby amended by striking out section 60, as most recently amended by section 14 of said chapter 627, and inserting in place thereof the following section:— *Section 60.* Sections fifty-six to fifty-nine, inclusive, shall, notwithstanding the provisions of any general or special law relating to retirement allowances, be in effect in any county, city, town or district which accepted them or accepted corresponding provisions G. L. (Ter. Ed.), 32, § 60, etc., amended.

Acceptance of certain sections of the retirement law.

of law prior to January first, nineteen hundred and forty-six, by the retiring authority.

Applicability
to certain
veterans.

No veteran whose employment first begins after June thirtieth, nineteen hundred and thirty-nine, shall be subject to the provisions of sections fifty-six to fifty-nine, inclusive; nor shall any veteran whose employment first began on or before said June thirtieth be subject to said provisions unless at the time of his retirement the total period of his creditable service is at least equal to twice the time he was not in the employ of the commonwealth or of a county, city, town or district subsequent to the date when his employment by the commonwealth or by a county, city, town or district first began.

G. L. (Ter.
Ed.), 115, § 1,
etc., amended.

SECTION 4. Section 1 of chapter 115 of the General Laws, as most recently amended by section 35 of said chapter 627, is hereby further amended by striking out, in the definition of "Veteran", the words "(c) has been awarded the Civil War or Indian Campaign medal" and inserting in place thereof the words: — (c) is entitled to the Civil War, Indian Campaign, Spanish Campaign, or Spanish War Service Medal; or (d) meets all the requirements of said clause Forty-third except that instead of performing ninety days' active service, including ten days' wartime service, he has performed active service in the armed forces of the United States at any time between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, inclusive.

"Veteran",
defined for
purposes of
soldiers' relief.

Certain
retirements
to be deemed
valid.

SECTION 5. The word "period", as used in this section is hereby defined to mean the period commencing at the time when chapter six hundred and twenty-seven of the acts of the current year was approved by the governor and ending at the time when said chapter six hundred and twenty-seven would have taken effect if said chapter had not been declared to be an emergency law. Every person retired before the commencement of said period effective at a time within said period, and every person retired during said period effective either at a time within said period or at a time on or before October first in the current year, shall be deemed to have been lawfully and validly retired if he was retired in accordance with the provisions of chapter thirty-two of the General Laws as if chapter six hundred and twenty-seven of the acts of the current year had not been passed and his retirement may be held invalid solely because of said chapter six hundred and twenty-seven. Every person placed during said period on an eligible list under the civil service laws and rules shall be deemed to have been lawfully and validly placed thereon if he was placed thereon in accordance with said laws and rules as if said chapter six hundred and twenty-seven had not been passed and his placement thereon may be held invalid solely because of said chapter six hundred and twenty-seven.

Certain
placements
under civil
service to be
deemed valid.

Approved September 8, 1954.

AN ACT RELATIVE TO THE ALLEVIATION OF CERTAIN FINANCIAL BURDENS IMPOSED BY THE NINETEEN HUNDRED AND FIFTY-FOUR HURRICANE. Chap. 689

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately for the relief of the disaster caused by the hurricane of August thirty-first, nineteen hundred and fifty-four, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. To provide for the purposes of disaster relief in the area stricken by the hurricane of August thirty-first of the current year, as more clearly specified hereinafter, the sum of twelve million dollars is hereby made available for transfer by the commission on administration and finance, at its discretion, for the following purposes: —

(1) To the director of civil defense such amounts as may be necessary to provide for reimbursements and other expenses authorized by section four of this act;

(2) To the commissioner of corporations and taxation such amounts as may be necessary to provide for reimbursements authorized by section seven of this act;

(3) To reimburse the appropriation accounts available for the fiscal year nineteen hundred and fifty-five of the several other state departments, boards and commissions such amounts as, in the opinion of the commission are necessary and have been expended therefrom for purposes of disaster relief or repair of hurricane damage, including the expense of the services of national guard units duly called for service in the stricken areas;

(4) To reimburse authorities of the commonwealth established by special act for such amounts as in the opinion of the commission are necessary and have been expended for purposes of disaster relief or repair of hurricane damage.

SECTION 2. Any unencumbered funds remaining in the hands of the commission on June thirtieth, nineteen hundred and fifty-six, shall be available for the payment of any principal and interest due thereafter on bonds authorized by this act.

SECTION 3. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding, in the aggregate, the sum of twelve million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on the face, Hurricane Relief Loan, Act of 1954, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, the initial maturities of which shall be payable

not later than one year from their date of issue, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix, but bonds shall be payable not earlier than July first, nineteen hundred and fifty-five, nor later than June thirtieth, nineteen hundred and sixty-six.

SECTION 4. The commonwealth shall reimburse, subject to the approval of a board consisting of the director of civil defense, the director of accounts of the department of corporations and taxation and the commissioner of administration, the political subdivisions of the commonwealth affected by the hurricane of August thirty-first in the current year, annually an amount equal to their obligations of repayment of any indebtedness incurred under the provisions of chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty, as amended, or incurred under the provisions of clause (9) of section eight of chapter forty-four of the General Laws as a result of an emergency created by said hurricane, and shall reimburse them for any expenditures from available funds and from sums raised by taxation for the purposes authorized under said chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty, as amended, or authorized under the provisions of section thirty-one of chapter forty-four of the General Laws as a result of an emergency created by said hurricane; provided, that the total amount to be paid by the commonwealth for such purposes shall not exceed twelve million dollars.

SECTION 5. The reimbursement provisions of section four of this act shall be extended to cover reimbursements to the political subdivisions of the commonwealth annually in an amount necessary to cover their obligations of repayment of principal and interest of any indebtedness authorized by such political subdivisions prior to the effective date of this act without approval of the emergency finance board; provided, such approval is obtained prior to such reimbursement.

SECTION 6. The board of assessors in each city or town affected by the hurricane which occurred on August thirty-first in the current year may, on application for abatement in respect to the tax on real estate filed in compliance with the provisions of section fifty-nine of chapter fifty-nine of the General Laws, grant an abatement in such amount as in the opinion of the assessors provides an equitable adjustment of taxes on property wholly or partially destroyed by said hurricane; provided, that such abatement shall not exceed that portion of the tax which relates to the assessment on buildings destroyed on said real estate; or the assessors may request the state tax commission under the provisions of

section eight of chapter fifty-eight of the General Laws to give authority to abate in whole or in part the tax on property wholly or partially so destroyed, which tax may be or has been levied against those who were the owners of record of property on January first, nineteen hundred and fifty-four, or subsequent owners who have assumed a part of the tax, as in their opinion provides an equitable adjustment. Notwithstanding any other provisions of law, applications for abatement under this act shall be filed before January first, nineteen hundred and fifty-five.

SECTION 7. In the event the board of assessors grants abatements under the authority of section six of this act in respect to applications for abatement filed under the provisions of section fifty-nine of chapter fifty-nine of the General Laws or are authorized to make abatements of the taxes levied in accordance with the provisions of section eight of chapter fifty-eight of the General Laws, the commonwealth shall, with the approval of the state tax commission, reimburse the municipalities for the abatements provided in this act from funds appropriated therefor.

Approved September 8, 1954.

AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS TO BE ISSUED BY THE COMMONWEALTH. Chap.690

Whereas, The deferred operation of this act would cause great inconvenience in the issue of bonds to carry out the purpose of the act passed at the special session of the general court in nineteen hundred and fifty-four, for the purpose of relieving the distress caused by the hurricane of August thirty-first, nineteen hundred and fifty-four, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under chapter six hundred and eighty-nine of the acts of nineteen hundred and fifty-four, relative to the alleviation of certain financial burdens imposed by the hurricane of August thirty-first, nineteen hundred and fifty-four, shall be issued for a maximum term of ten years and shall be payable not earlier than July first, nineteen hundred and fifty-five, nor later than June thirtieth, nineteen hundred and sixty-six, as recommended by the governor in a message to the general court, dated September eighth, nineteen hundred and fifty-four, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

Approved September 8, 1954.

NOTE.

The general court of 1954 during its extra session passed three Acts, which received executive approval.

The general court was prorogued on Wednesday, September 8, 1954, at five minutes after seven o'clock A.M., the session having occupied two days.

APPENDIX

The following table and indexes have been prepared by THOMAS R. BATEMAN, Esq., and FREDERICK B. WILLIS, Esq., counsel, respectively, to the Senate and House of Representatives, in accordance with section fifty-one of chapter three of the General Laws, as amended.

TABLE

SHOWING

TO WHAT EXTENT THE GENERAL LAWS OF THE COMMONWEALTH, AS APPEARING IN THE TERCENTENARY EDITION, HAVE BEEN AFFECTED BY LEGISLATION ENACTED BY THE GENERAL COURT SINCE JANUARY FIRST, NINETEEN HUNDRED AND THIRTY-TWO.* †

Chapter 1. — Jurisdiction of the Commonwealth and of the United States.

SECT. 3 revised, 1933, 278 § 1.

Chapter 2. — Arms, Great Seal and Other Emblems of the Commonwealth.

SECT. 7, sentence added at end, 1953, 245.

SECT. 8 added, 1941, 121 (designating the American elm as the state tree).

SECT. 9 added, 1941, 121 (designating the Chickadee as the state bird).

Chapter 3. — The General Court.

SECT. 1 revised, 1946, 130 § 1.

SECT. 5 amended, 1937, 364 § 1; 1939, 508 § 1.

SECT. 6 revised, 1937, 364 § 2; amended, 1939, 424 § 1; repealed, 1943, 549 § 2. (See 1939, 424 § 3.)

SECT. 6A added, 1939, 424 § 2 (imposing restrictions on the granting of authority to use the designation of junior college); repealed, 1943, 549 § 2. (See 1939, 424 § 3.)

SECT. 7 revised, 1937, 364 § 3; first sentence amended, 1943, 549 § 2A.

SECT. 9 revised, 1937, 236 § 1; 1941, 307 § 1; amended, 1941, 600 § 1; revised, 1945, 38 § 1. (See 1941, 307 § 2; 1941, 600 § 2.)

SECT. 9 stricken out and sections 9 and 9A (relative to payment of allowances for travel and other expenses to members of the general court) inserted, 1945, 248 § 1. (See 1945, 248 §§ 4, 5.)

SECT. 9, first two sentences amended, 1948, 655 § 1; revised, 1949, 784 § 1; two sentences inserted after second sentence, 1949, 801 § 1; third sentence amended, 1950, 247 § 1; first four sentences revised, 1951, 803 § 1; last sentence revised, 1953, 171. (See 1948, 655 §§ 3, 4; 1949, 784 § 3, 801 § 2; 1950, 247 § 2; 1951, 803 § 2.)

SECT. 9A repealed, 1952, 635 § 1.

SECT. 9B added, 1953, 263 § 1 (relative to travel and expense allowances for members of the general court).

SECT. 10 amended, 1945, 38 § 2; revised, 1945, 248 § 2; 1948, 655 § 2; 1949, 784 § 2; amended, 1951, 803 § 1A; 1952, 635 § 3. (See 1945, 248 §§ 4, 5; 1948, 655 §§ 3, 4; 1949, 784 § 3; 1951, 803 § 2.)

* For table showing changes in legislation made during the years 1921 to 1931, inclusive, see Table of Changes contained in pages 485-597 of the Acts and Resolves, of 1932.

† References in this table are to the Tercentenary Edition of the General Laws, as most recently amended, unless otherwise specified.

SECT. 11 repealed, 1937, 236 § 2.

SECT. 12 revised, 1937, 360 § 1; 1943, 260 § 1. (See 1937, 360 §§ 3-5; 1943, 260 § 3.)

SECT. 12A added, 1952, 3 (authorizing the use of facsimiles of the signatures of the clerks of the senate and house of representatives in certain cases).

SECT. 13 revised, 1937, 360 § 2; amended, 1941, 230; revised, 1943, 260 § 2. (See 1937, 260 §§ 3-5; 1943, 260 § 3.)

SECT. 14 revised, 1948, 139.

SECT. 15 revised, 1945, 421 § 1; paragraph added at end, 1949, 806 § 1. (See 1945, 421 § 5.)

SECT. 16 revised, 1949, 806 § 2.

SECT. 18 amended, 1941, 433 § 1; 1943, 104; revised, 1945, 421 § 2. (See 1941, 433 § 4; 1945, 421 § 5.)

SECT. 19 amended, 1935, 210; 1949, 806 § 3.

SECT. 20 revised, 1939, 508 § 2; amended, 1941, 433 § 2; 1945, 38 § 3; 421 § 4; revised, 1945, 488 § 1; 1952, 572 § 1; repealed, 1952, 635 § 2. (See 1941, 433 § 4; 1945, 421 § 5; 488 §§ 2, 3; 1952, 572 § 2.)

SECT. 20A added, 1937, 189 (relative to the purchase of uniforms for the sergeant-at-arms, doorkeepers, assistant doorkeepers, general court officers and pages of the general court).

SECT. 21 revised, 1945, 421 § 3. (See 1945, 421 § 5.)

SECT. 22 amended, 1939, 508 § 3.

SECT. 23 revised, 1941, 347.

SECT. 28A added, 1954, 454 (providing a penalty for refusal to appear and testify before the General Court or a committee or commission thereof in certain cases).

SECT. 32A added, 1950, 808 § 1 (relative to travel expenses of certain special commissions and committees). (See 1950, 808 § 2.)

SECT. 46 amended, 1939, 508 § 4.

SECT. 47 amended, 1939, 508 § 5.

SECT. 49 amended, 1939, 508 § 6.

SECT. 51 amended, 1939, 508 § 7.

SECT. 53 revised, 1939, 376 § 1. (See 1939, 376 § 2.)

SECTS. 56-61 added, 1954, 607 § 2 (establishing a legislative research council and legislative research bureau).

Chapter 4. — Statutes.

SECT. 4A added, 1952, 223 (permitting certain towns to revoke their acceptance of certain special acts).

SECT. 5 revised, 1935, 69.

SECT. 7, clause Third revised, 1951, 215 § 1; clause Ninth revised, 1941, 509 § 1; 1945, 242 § 1; 637 § 1; clause Eighteenth amended, 1934, 283; 1935, 26; 1936, 180; 1937, 38; 1938, 245; 1941, 91 § 1; 1946, 190; 1948, 241; 1954, 128 § 1; clause Forty-second stricken out, 1953, 319 § 2; clause Forty-third added, 1954, 627 § 1. (See 1941, 509 § 9; 1945, 279; 1953, 319 §§ 39, 40; 1954, 128 § 2, 627 §§ 65, 67.)

SECT. 10, first sentence amended, 1954, 180.

Chapter 5. — Printing and Distribution of Laws and Public Documents.

As to the distribution of the Tercentenary Edition of the General Laws, see 1941, Resolve 19.

SECT. 1, last paragraph revised, 1932, 254; two paragraphs added at end, 1937, 373; section revised, 1938, 419; amended, 1941, 428; first paragraph amended, 1945, 580 § 1. (See 1945, 580 § 9.)

SECT. 2, paragraphs (4) and (6) revised, 1939, 508 § 8; 1945, 252.

SECT. 3, paragraph in lines 10-11 revised, 1947, 320 § 1; paragraphs in lines 12-42 amended, 1938, 196; second of said paragraphs amended, 1941, 351 § 1; 1947, 320 § 2; paragraph in lines 52-62 amended, 1953, 319 § 3; paragraphs in lines 63-68 revised, 1947, 320 § 1.

SECT. 4, second paragraph amended, 1953, 319 § 4.

SECT. 4A added, 1947, 569 (providing for the printing and distribution of a cumulative table of changes in the general statutes from time to time during the session of the general court).

SECT. 6 amended, 1939, 508 § 9; revised, 1943, 344 § 1; amended, 1945, 580 § 2. (See 1945, 580 § 9.)

SECT. 8 amended, 1945, 580 § 3. (See 1945, 580 § 9.)

SECT. 9 amended, 1933, 245 § 1; 1946, 209 § 1; 1951, 68, 474; 1953, 22.

SECT. 10 revised, 1939, 508 § 10; first paragraph amended, 1945, 38 § 4.

SECT. 11, paragraph in thirteenth line revised, 1941, 329; paragraph in lines 14-31 stricken out, and two paragraphs inserted, 1945, 538; section amended, 1947, 295.

SECT. 12 amended, 1948, 1; 1952, 179.

SECT. 18 amended, 1935, 226 § 1; revised, 1943, 313; amended, 1946, 466; sentence added at end, 1950, 811.

Chapter 6. — The Governor, Lieutenant Governor and Council, Certain Officers under the Governor and Council, and State Library.

For temporary legislation establishing an emergency finance board and defining its powers and duties, see 1933, 49.

SECT. 1 amended, 1946, 591 § 1.

SECT. 2 amended, 1946, 591 § 2; 1949, 722.

SECT. 3 amended, 1943, 314 § 1; 1949, 781 § 1. (See 1943, 314 § 2; 1949, 781 § 2.)

SECT. 6 revised, 1954, 156.

SECT. 6A added, 1952, 457 (establishing the offices of administrative secretary and executive stenographer in the executive department).

SECT. 8 amended, 1941, 722 § 1; revised, 1943, 348 § 1.

SECT. 12A revised, 1954, 661 § 1. (See 1954, 661 § 2.)

SECT. 12B added, 1932, 14 (relative to the observance of the anniversary of the death of Brigadier General Casimir Pulaski).

SECT. 12C added, 1932, 153 (relative to the observance of the anniversary of the battle of Bunker Hill). (See 1941, 91.)

SECT. 12D added, 1932, 242 (relative to the observance of the anniversary of the Boston Massacre, etc.).

SECT. 12E added, 1934, 191 (relative to the observance of the anniversary of the death of Commodore John Barry).

SECT. 12F added, 1935, 23 (relative to the observance of the anniversary of the battle of New Orleans); amended, 1938, 49.

SECT. 12G added, 1935, 96 (providing for an annual proclamation by the governor relative to American Education Week).

SECT. 12H added, 1935, 148 (relative to the observance of the anniversary of the death of General Marquis de Lafayette).

SECT. 12I added, 1935, 184 (relative to the annual observance of Indian Day); revised, 1939, 56.

SECT. 12J added, 1938, 22 (relative to the annual observance of April nineteenth as Patriots' Day).

SECT. 12K added, 1938, 80 (relative to the annual observance of Evacuation Day, so called).

SECT. 12L added, 1941, 387 (relative to the annual observance of Veteran Firemen's Muster Day).

SECT. 12M added, 1947, 561 (relative to the annual observance of Good Government Day); revised, 1951, 650.

SECT. 12N added, 1949, 75 (relative to the annual observance of United Nations Day).

SECT. 12O added, 1949, 263 (relative to the annual observance of Loyalty Day).

SECT. 12P added, 1952, 104 (relative to the annual observance of civil rights week).

SECT. 12Q added, 1953, 84 (relative to the annual observance of Memorial Day).

SECT. 12R added, 1953, 172 (relative to the annual observance of Polish Constitution Day).

SECT. 12S added, 1954, 124 (relative to the annual observance of March fifteenth as Peter Francisco Day).

SECT. 15 amended, 1946, 201.

SECT. 15A added, 1953, 170 (relative to the annual observance of Constitution Day).

SECT. 16 amended, 1941, 490 § 1.

SECT. 17 amended, 1932, 305 § 1; 1933, 120 § 1, 336 § 1; 1934, 374 § 1; 1935, 475 § 1; revised, 1939, 393 § 1; amended, 1945, 393 § 1; revised, 1945, 619 § 1; amended, 1946, 368 § 2; revised, 1946, 612 § 1; amended, 1947, 466 § 1; 513 § 1; 1948, 260 § 2; revised, 1948, 310 § 1; 476 § 1; 637 § 1; amended, 1950, 479 § 1; 1951, 511 § 1; 1952, 605 § 16; 1953, 409 § 4; revised, 1953, 608 § 1; amended, 1953, 612 § 1; 1954, 581 § 1, 537 § 1. (See 1933, 336 § 3; 1948, 260 §§ 5, 6; 310 §§ 30, 31; 476 §§ 3, 4; 637 §§ 4-9, 13; 663 § 4; 1950, 479 §§ 6, 7; 1952, 605 §§ 15, 19-21.)

SECT. 18 and heading stricken out and new section inserted, under heading "ARMORY COMMISSION", 1937, 300 § 1; sentence added at end, 1941, 19. (See 1937, 300 § 2.)

SECT. 22 amended, 1936, 341 § 1; heading and section amended, 1943, 455 § 1; 1945, 393 § 2; paragraph added at end, 1946, 584 § 18; section amended, 1946, 591 § 3; 1950, 705; paragraph added at end, 1951, 753 § 2. (See 1936, 341 § 2; 1946, 584 § 22.)

SECT. 24 amended, 1941, 596 § 1; 1943, 455 § 2; 1945, 393 § 3.

SECT. 25 revised, 1945, 730 § 2.

SECT. 28 amended, 1938, 18; 1947, 315; 1953, 456.

SECT. 28A amended, 1934, 208 § 1; 1945, 393 § 4.

SECT. 28E added, 1934, 208 § 2 (relative to the dissemination of information concerning the public bequest fund).

SECT. 31 revised, 1943, 479; amended, 1948, 569.

SECT. 32, second paragraph amended, 1947, 30 § 1; paragraph added at end, 1937, 227; same paragraph revised, 1938, 473 § 1; same paragraph revised, 1943, 43.

SECT. 42 added, under caption "MILK REGULATION BOARD", 1932, 305 § 2; revised, 1946, 496; first two sentences revised, 1953, 604 § 7.

SECTS. 43-45 added, 1933, 120 § 2 (relative to the alcoholic beverages control commission).

SECT. 43 amended, 1933, 375 § 1; next to last sentence revised, 1950, 785.

SECT. 44, first paragraph revised, 1933, 376 § 1.

SECT. 45 revised, 1941, 596 § 2.

SECTS. 46 and 47 added, 1933, 336 § 2 (relative to the Greylock reservation commission). (See 1933, 336 § 3.)

SECT. 48 added, under caption "STATE RACING COMMISSION", 1934, 374 § 2; last paragraph revised, 1941, 596 § 3.

SECTS. 49-52 added, under caption "STATE PLANNING BOARD", 1935, 475 § 2.

SECT. 49 amended, 1936, 307; 1939, 451 § 1; revised, 1941, 466 § 5; sentence inserted after fourth sentence, 1951, 596. (See 1941, 466 §§ 1-4, 7A, 8.)

SECT. 50A added, 1941, 466 § 7 (relative to the powers and duties of the state planning board formerly exercised by the metropolitan planning division). (See 1941, 466 §§ 1-4, 7A, 8.)

SECTS. 49-52 repealed, 1953, 409 § 2.

SECTS. 53-55 added, 1945, 619 § 2 (establishing a Port of Boston Authority). (See 1945, 619 §§ 4-11.)

SECT. 53, caption and section revised, 1953, 608 § 2 (establishing the Port of Boston Commission). (See 1953, 608 §§ 13-16.)

SECT. 53A added, 1953, 608 § 2 (establishing an advisory council to the Port of Boston Commission).

SECT. 54 amended, 1953, 608 § 3.

SECT. 55 amended, 1953, 608 § 4.

SECT. 56 added, 1946, 368 § 3 (establishing the Massachusetts Fair Employment Practice Commission); first sentence of third paragraph revised, 1951, 588; caption revised and section amended, 1950, 479 § 2; last paragraph amended, 1948, 411. (See 1950, 479 §§ 6, 7.)

SECTS. 57-59 added, 1946, 583 § 1 (relative to the Massachusetts Aeronautics Commission). (See G. L. 90 §§ 36-38, repealed by 1946, 583 § 2. See also 1946, 583 § 4.)

SECTS. 59A-59C added, 1948, 637 § 2 (establishing the State Airport Management board). (See 1948, 637 §§ 4-9, 13; 663 § 4.)

SECT. 59B, sentence added at end, 1948, 663 § 1. (See 1948, 663 §§ 4, 5.)

SECT. 60 added, 1946, 612 § 2 (establishing the Outdoor Advertising Authority); last paragraph revised, 1952, 468. (See 1946, 612 §§ 5, 6.)

SECTS. 61 and 62 added, 1947, 466 § 2 (establishing the Massachusetts Public Building Commission); caption preceding section 61 stricken out, 1953, 612 § 2; both sections stricken out, 1953, 612 § 3. (See 1947, 466 §§ 4-6; 1953, 612 §§ 10-13.)

SECT. 63 added, 1947, 513 § 2 (establishing a commission on alcoholism); repealed and heading preceding section stricken out, 1954, 581 § 2. (See 1954, 581 §§ 4, 5.)

SECT. 64 added, 1948, 260 § 3 (establishing the State Housing Board); sixth sentence stricken out and two sentences inserted, 1949, 577; second paragraph amended, 1954, 396. (See 1948, 260 §§ 5, 6.)

SECTS. 65-69 added, 1948, 310 § 2 (establishing the Youth Service Board). (See 1948, 310 §§ 30, 31; 542.)

SECT. 65 revised, 1952, 605 § 1. (See 1952, 605 §§ 19-21.)

SECT. 66 revised, 1952, 605 § 2. (See 1952, 605 §§ 15, 19-21.)

SECT. 67, paragraph (2) stricken out, 1952, 605 § 17. (See 1952, 605 §§ 15, 19-21.)

SECT. 68 repealed, 1952, 605 § 18. (See 1952, 605 §§ 15, 19-21.)

SECTS. 70 and 71 added, 1948, 476 § 2 (establishing the Board of Trustees of the Soldiers' Home in Holyoke). (See 1948, 476 §§ 3, 4.)

SECT. 72 added, 1951, 511 § 2 (establishing the weather amendment board).

SECT. 73 added, 1954, 537 § 2 (establishing a council for the aging). (See 1954, 537 § 3.)

Chapter 7. — Commission on Administration and Finance.

SECT. 2 revised, 1948, 610 § 1. (See 1948, 610 §§ 6, 7.)

SECT. 3 amended, 1946, 591 § 4; revised, 1948, 610 § 2; 1951, 717 § 1; fifth and sixth sentences stricken out and sentence inserted, 1954, 332. (See 1948, 610 §§ 6, 7.)

SECT. 4 revised, 1948, 610 § 4; 1951, 717 § 2. (See 1948, 610 §§ 6, 7.)

SECTS. 5A and 5B added, 1953, 612 § 4 (establishing a division of building construction). (See 1953, 612 §§ 10-13.)

SECT. 6 revised, 1948, 610 § 3; 1950, 824; amended, 1951, 558. (See 1948, 610 §§ 6, 7.)

SECT. 6A added, 1941, 433 § 3 (providing for the appointment of the postmaster and assistant postmaster of the central mailing room by the Commission on Administration and Finance); revised, 1950, 547 § 1. (See 1941, 433 § 4; 1950, 547 § 2.)

SECT. 6B added, 1951, 440 § 1 (establishing first aid facilities in the state house). (See 1951, 440 §§ 2, 3.)

SECTS. 6C and 6D added, 1953, 636 § 1 (relative to hospital expenses for public welfare and other public assistance patients). (See 1953, 636 §§ 6-9.)

SECT. 7 amended, 1945, 457; revised, 1948, 610 § 5; paragraph added at end, 1949, 448; same paragraph amended, 1950, 512; 1951, 455; revised, 1953, 526; stricken out, 1954, 680 § 1. (See 1948, 610 §§ 6, 7.)

SECT. 7A added, 1950, 698 (authorizing the commissioner of administration to enter into agreements with certain towns for fire protection of certain state institutions).

SECT. 13 revised, 1950, 272.

SECT. 14 revised, 1950, 273.

SECT. 15 amended, 1948, 254.

SECT. 16 revised, 1950, 274; first sentence amended, 1953, 40.

SECT. 22, clause (17) revised, 1933, 353 § 1.

SECT. 23A added, 1933, 353 § 2 (providing a preference in the purchase of supplies and materials by contractors for certain state work in favor of domestic supplies and materials).

SECT. 25A added, 1943, 344 § 2 (authorizing the state purchasing agent to regulate purchases of supplies and transfers thereof from one state agency to another); revised, 1953, 201.

SECT. 26 amended, 1939, 451 § 2.

SECT. 28 revised, 1954, 680 § 2.

SECT. 28A added, 1954, 680 § 3 (relative to the development of training programs for certain state employees by the division of personnel and standardization).

SECT. 29 amended, 1945, 580 § 4. (See 1945, 580 § 9.)

SECT. 30 amended, 1952, 144.

SECTS. 30A-30J added, 1953, 612 § 5 (relative to public building construction). (See 1953, 612 §§ 10-13.)

SECT. 30K added, 1953, 636 § 2 (relative to the annual determination by the director of hospital costs of the all-inclusive per diem cost for care of patients in each hospital, sanatorium and infirmary licensed by the department). (See 1953, 636 §§ 7 and 9.)

SECT. 31 revised, 1950, 275.

SECT. 31A added, 1953, 504 (providing for recognition of state employees' suggestions which increase the efficiency of state government); revised, 1954, 546.

SECT. 33 revised, 1939, 499 § 1; 1945, 292 § 1.

SECT. 34 revised, 1950, 276.

Chapter 8. — State Superintendent of Buildings, and State House.

SECTS. 1-12 affected, 1935, 327; 1941, 627 § 3.

SECT. 1 revised, 1938, 249 § 1. (See 1938, 249 § 6.)

SECT. 4 amended, 1935, 251; revised, 1937, 84 § 1; 1938, 249 § 2. (See 1937, 84 § 2; 1938, 249 § 6.)

SECT. 5 revised, 1935, 460 § 1; amended, 1938, 387 § 1; 1946, 591 § 5. (See 1935, 460 § 2; 1938, 387 § 2.)

SECT. 6 revised, 1953, 612 § 6. (See 1953, 612 §§ 10-13.)

SECT. 9 amended, 1938, 249 § 3. (See 1938, 249 § 6.)

SECT. 10 amended, 1938, 249 § 4; 1943, 440 § 1. (See 1938, 249 § 6.)

SECT. 10A revised, 1933, 170; 1941, 267; amended, 1943, 440 § 2; revised, 1945, 706; paragraph inserted before last sentence, 1952, 391; sentence added at end, 1946, 585; last sentence stricken out and paragraph inserted, 1953, 638.

SECT. 12 revised, 1938, 249 § 5; sentence inserted after "officers" in line 12, 1947, 66. (See 1938, 249 § 6.)

SECT. 16A added, 1948, 190 § 1 (providing for the preservation of room numbered twenty-seven in the state house as a memorial and shrine to the Grand Army of the Republic).

SECT. 17 amended, 1932, 188 § 1; 1933, 199 § 1; 1947, 350 § 1; revised, 1948, 190 § 2; amended, 1951, 807; revised, 1952, 300, 390; 1953, 664.

SECT. 18 amended, 1932, 188 § 2; 1933, 199 § 2; 1947, 350 § 2.

Chapter 9. — Department of the State Secretary.

SECT. 1 amended, 1946, 591 § 6; revised, 1949, 789 § 1. (See 1949, 789 § 5.)

SECT. 2 revised, 1935, 416; 1939, 283; 1941, 587.

SECT. 6 amended, 1934, 25 § 1.

SECT. 7 amended, 1934, 25 § 2; 1939, 342 § 1.

SECT. 9 amended, 1934, 127.

SECT. 15 amended, 1934, 19.

SECT. 17 amended, 1934, 37; revised, 1936, 31 § 1.

SECT. 20 added, 1935, 402 (regulating the publication and sale of the Massachusetts Reports and of the advance sheets of the opinions and decisions of the Supreme Judicial Court); revised, 1943, 426.

SECTS. 21-25 added, under the caption "COMMISSION ON INTERSTATE CO-OPERATION", 1937, 404 § 1 (establishing a commission on interstate co-operation as successor to the commission on interstate compacts affecting labor and industries and defining its powers and duties, and providing for a commission required to be established under an interstate compact on the minimum wage). (See 1937, 404 §§ 2, 3.)

SECT. 21 amended, 1941, 394 § 1; 1953, 409 § 5.

SECT. 23 amended, 1941, 394 § 2.

SECT. 25 repealed, 1943, 255 § 2. (See 1943, 255 § 3.)

Chapter 10. — Department of the State Treasurer.

For temporary legislation establishing an emergency finance board, and defining its powers and duties, see 1933, 49.

SECT. 1 amended, 1946, 591 § 7; revised, 1949, 789 § 2. (See 1949, 789 § 5.)

SECT. 5, first sentence revised, 1941, 596 § 4; 1945, 489.

SECT. 7 revised, 1948, 533.

SECT. 8 amended, 1932, 180 § 1; revised, 1943, 427 § 1.

SECT. 8A, last sentence stricken out, 1950, 314.

SECT. 11 revised, 1939, 499 § 2; amended, 1945, 292 § 2.

SECT. 16 amended, 1954, 419 § 5A.

SECT. 17 amended, 1941, 194 § 1.

SECT. 17A added, 1943, 362 § 2 (providing for the receipt and disposal, by the state treasurer, of certain gifts made to the commonwealth for military purposes).

SECT. 18 revised, 1945, 658 § 2. (See 1945, 658 § 11.)

SECT. 19 revised, 1945, 658 § 3. (See 1945, 658 § 11.)

Chapter 11. — Department of the State Auditor.

SECT. 1 amended, 1946, 591 § 8; revised, 1949, 789 § 3. (See 1949, 789 § 5.)

SECT. 2, first sentence revised, 1941, 596 § 5.

SECT. 5 revised, 1946, 591 § 9.

Chapter 12. — Department of the Attorney General, and the District Attorneys.

SECT. 1 amended, 1946, 591 § 10; revised, 1949, 789 § 4. (See 1949, 789 § 5.)

SECT. 2 amended, 1934, 133 § 1; revised, 1941, 647 § 2. (See 1934, 133 § 2.)

SECT. 3, last sentence amended, 1932, 180 § 2; section amended, 1943, 83 § 1.

SECT. 3B amended, 1933, 318 § 1; 1934, 291 § 1; first paragraph amended, 1953, 544; paragraph inserted after first paragraph, 1943, 409 § 3. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 3C added, 1947, 337 (authorizing the attorney general to settle certain claims against state officers and employees without suit being brought); second paragraph revised, 1949, 567.

SECT. 3D added, 1954, 326 (relative to indemnification or protection of certain state officers and employees in connection with actions for personal injuries).

SECT. 6A added, 1947, 238 (authorizing the attorney general to call conferences of district attorneys, sheriffs and police officials of cities and towns); paragraph added at end, 1954, 654.

SECTS. 8A-8I added, 1954, 529 § 1 (establishing a division of public charities).

SECT. 11 amended, 1939, 499 § 3; 1945, 292 § 3.

SECT. 13 revised, 1948, 423 § 1. (See 1948, 423 § 7.)

SECT. 14, paragraph in lines 5 and 6 revised, 1935, 209; paragraph in lines 7 and 8 revised, 1935, 433 § 1; section revised, 1935, 458 § 1; next to last paragraph revised, 1941, 470 § 1; paragraph added at end, 1948, 239 § 1; section revised, 1948, 423 § 2; amended, 1951, 432 § 1; 1954, 488 § 1. (See 1948, 423 § 7.)

SECT. 15 revised, 1935, 458 § 2; paragraph in line 8 revised, 1937, 279 § 1; section revised, 1947, 675 § 1; sixth paragraph stricken out and two paragraphs inserted, 1948, 423 § 3; section revised, 1951, 804 § 1; amended, 1954, 441. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4.)

SECT. 16, paragraph in lines 9-11 revised, 1935, 433 § 2; section revised, 1935, 458 § 3; paragraph in lines 23 and 24 revised, 1937, 279 § 2; next to last paragraph revised, 1941, 470 § 2; section revised, 1947, 675 § 2; paragraph added at end, 1948, 239 § 2; section revised, 1948, 423 § 4; fifth paragraph revised, 1951, 432 § 2; ninth paragraph revised, 1949, 680; section revised, 1951, 804 § 2; amended, 1954, 488 § 2. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4.)

SECT. 18 amended, 1948, 423 § 5. (See 1948, 423 § 7.)

SECT. 20A revised, 1947, 675 § 3; last sentence revised, 1951, 804 § 3. (See 1947, 675 § 4; 1951, 804 § 4.)

SECT. 22 revised, 1948, 423 § 6. (See 1948, 423 § 7.)

SECT. 24 amended, 1948, 111.

SECT. 25 amended, 1937, 64 § 1.

Chapter 13. — Department of Civil Service and Registration.

SECT. 1 revised, 1939, 238 § 1. (See 1939, 238 §§ 52-55.)

SECT. 2 revised, 1939, 238 § 2; first paragraph amended, 1945, 681 § 1; second paragraph amended, 1946, 591 § 11; 1948, 580; 1950, 821 § 2; 1951, 716; paragraph inserted after second paragraph, 1941, 403. (See 1939, 238 §§ 52-55; 1945, 681 § 2.)

SECT. 2A added, 1939, 238 § 3 (relative to the appointment and compensation of civil service commissioners); fourth sentence revised, 1941, 457; same sentence amended, 1945, 725 § 6; section revised, 1946, 591 § 12; fourth sentence revised, 1948, 575; 1950, 821 § 1; 1951, 589; 1952, 473. (See 1939, 238 §§ 52-55.)

SECT. 3 amended, 1932, 180 § 3; revised, 1939, 238 § 4. (See 1939, 238 §§ 52-55.)

SECT. 4 revised, 1939, 238 § 5.

SECT. 5 revised, 1939, 238 § 6.

SECT. 6 revised, 1939, 238 § 7.

SECT. 8 amended, 1934, 329; 1946, 591 § 13; 1948, 601 § 1; 1949, 787; 1952, 627 § 1. (See 1948, 601 § 2; 1952, 627 § 2.)

SECT. 9A added, 1945, 376 (authorizing the director of registration to make certain rules and regulations governing the conduct of examinations by the several boards of registration and examination).

SECT. 10 amended, 1932, 8; 1939, 36.

SECT. 11 amended, 1937, 379; last sentence revised, 1953, 529.

SECT. 12 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)

SECTS. 12A-12C added, under the heading "BOARD OF REGISTRATION IN CHIROPODY (PODIATRY)", 1937, 425 § 1. (See 1937, 425 §§ 14, 15.)

SECT. 12A, third sentence stricken out, 1952, 73.

SECT. 12B revised, 1950, 315.

SECTS. 13-15 and the heading before section 13 stricken out and new sections 13-15D added under heading "BOARD OF REGISTRATION IN NURSING", 1941, 620 § 2. (See 1941, 620 §§ 1, 4-12.)

SECT. 13 amended, 1953, 350 § 1.

SECT. 14A amended, 1953, 350 § 2.

SECT. 15A amended, 1952, 585 § 19; revised, 1953, 350 § 3.

SECT. 17 revised, 1934, 339 § 1.

SECT. 20 revised, 1946, 550 § 1; 1947, 417.

SECT. 23 revised, 1952, 625 § 1; 1953, 280 § 1. (See 1952, 625 § 3; 1953, 280 § 3.)

SECT. 24 revised, 1952, 625 § 2; 1953, 280 § 2. (See 1952, 625 § 3; 1953, 280 § 3.)

SECT. 25 revised, 1941, 596 § 6; 1951, 577.

SECT. 26 amended, 1950, 192.

SECT. 28 amended, 1948, 647.

SECT. 29 and its caption stricken out and new section inserted, under the caption "BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING", 1936, 407 § 1; revised, 1954, 653 § 1. (See 1936, 407 §§ 5-8; 1954, 653 §§ 4, 7.)

SECT. 30 revised, 1954, 653 § 1. (See 1954, 653 §§ 6, 7.)

SECT. 31 revised, 1936, 407 § 2; 1946, 591 § 14; 1954, 653 § 1. (See 1936, 407 §§ 5-8; 1954, 653 §§ 6, 7.)

SECT. 32 revised, 1935, 420 § 1; amended, 1939, 238 § 8; 1952, 585 § 20; first sentence revised, 1954, 238. (See 1935, 420 § 2.)

SECT. 35, first sentence revised, 1953, 510 § 1.

SECT. 36, first sentence revised, 1945, 517 § 1; second paragraph revised, 1941, 596 § 7; third paragraph revised, 1951, 691 § 2. (See 1945, 517 § 2; 1951, 691 § 1.)

SECT. 39 amended, 1941, 385 § 1; 1947, 509 § 1. (See 1941, 385 § 2; 1947, 509 § 2.)

SECT. 40 amended, 1933, 149 § 1; two sentences added at end, 1934, 299 § 1. (See 1934, 299 § 2.)

SECT. 41 amended, 1938, 337 § 1; 1946, 591 § 15; revised, 1953, 556. (See 1938, 337 § 2.)

SECTS. 42-44 added, under caption "BOARD OF REGISTRATION OF HAIRDRESSERS", 1935, 428 § 1. (See 1935, 428 §§ 5, 7.)

SECT. 42, two sentences inserted after first sentence, 1949, 580 § 1.

SECT. 43 amended, 1937, 385 § 1; second sentence revised, 1949, 580 § 2.

SECT. 44 amended, 1946, 591 § 16; revised, 1951, 561.

SECTS. 44A-44D added, under caption "BOARD OF REGISTRATION OF ARCHITECTS", 1941, 696 § 1. (See 1941, 696 §§ 3, 4.)

SECTS. 45-47 added, under caption "BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND OF LAND SURVEYORS", 1941, 643 § 1. (See 1941, 643 §§ 3-5.)

SECT. 47 amended, 1941, 722 § 1A.

Chapter 14. — Department of Corporations and Taxation.

Chapter stricken out and new chapter 14 inserted, 1953, 654 § 1. (See 1953, 654 §§ 103-109.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

SECT. 1, sentence added at end, 1954, 429.

SECT. 4, subdivision 1 of second paragraph amended, 1954, 681 § 3. (See 1954, 681 §§ 20, 22.)

Chapter 15. — Department of Education.

SECT. 1 revised, 1947, 652 § 1.

SECTS. 1A-1C added, 1947, 652 § 2 (establishing a board of education which shall have supervision and control of the department of education). (See 1947, 652 §§ 14, 15.)

SECTS. 1B and 1C revised, 1952, 585 § 1. (See 1952, 585 §§ 25, 26.)

SECT. 2 amended, 1946, 591 § 18; repealed, 1947, 652 § 13.

SECT. 2A added, 1946, 531 (providing for a deputy commissioner of education, and establishing his powers and duties); repealed, 1947, 652 § 13.

SECT. 3 amended, 1941, 138; repealed, 1947, 652 § 13.

SECT. 3A added, 1943, 549 § 1 (establishing a board of collegiate authority in the department of education); revised, 1947, 652 § 3.

SECT. 4 revised, 1939, 409 § 2; last sentence revised, 1947, 344 § 2; section revised, 1947, 652 § 4; 1952, 585 § 2; third sentence revised, 1954, 514 § 1; amended, 1953, 407 § 4. (See 1939, 409 §§ 1, 5; 1952, 585 §§ 25, 26; 1953, 407 §§ 7, 8.)

SECT. 5 revised, 1941, 596 § 9; 1947, 652 § 5; 1952, 585 § 3. (See 1952, 585 §§ 25, 26.)

SECT. 6 revised, 1947, 652 § 6.

SECT. 6A amended, 1938, 446 § 13; revised, 1941, 531; 1946, 552 § 1; 1947, 652 § 7; 1952, 630 § 1. (See 1938, 446 § 14.)

SECT. 6B added, 1941, 676 § 1 (relative to the supervisor of guidance and placement); revised, 1947, 652 § 8. (See 1941, 646; 1947, 652 § 13.)

SECT. 8, caption preceding section revised, 1952, 585 § 4; section amended, 1952, 585 § 5. (See 1952, 585 §§ 25, 26.)

SECT. 9 amended, 1952, 585 § 6. (See 1952, 585 §§ 25, 26.)

SECT. 11 revised, 1952, 585 § 7. (See 1952, 585 §§ 25, 26.)

SECT. 12 revised, 1935, 367; 1939, 409 § 3. (See 1939, 409 §§ 1, 5.)

SECT. 13A added, 1951, 676 § 1 (establishing certain bureaus in the division of the blind).

SECT. 15 revised, 1951, 676 § 2.

SECT. 15A added, 1954, 514 § 2 (establishing a division of special education for mentally retarded children).

SECT. 16 revised, 1945, 658 § 4. (See 1945, 658 § 11.)

SECT. 17 revised, 1945, 658 § 5. (See 1945, 658 § 11.)

SECT. 18 revised, 1945, 658 § 6. (See 1945, 658 § 11.)

SECT. 19 amended, 1942, 1 § 2; revised, 1946, 257 § 7; 1947, 344 § 3; amended, 1953, 407 § 5; 1953, 488 § 2. (See 1942, 1 § 9; 1953, 488 § 4.)

SECT. 20, caption preceding section changed, 1947, 344 § 4; section amended, 1947, 344 § 5.

SECT. 21, caption preceding section changed, 1946, 257 § 9; section revised, 1946, 257 § 8; amended, 1953, 488 § 3. (See 1953, 488 § 4.)

SECT. 22, caption preceding section changed, 1942, 1 § 3; section amended, 1942, 1 § 4; revised, 1954, 594 § 1. (See 1942, 1 § 9; 1954, 594 § 2.)

SECT. 24 and caption preceding said section revised, 1953, 407 § 6. (See 1953, 407 §§ 7, 8.)

Chapter 16. — Department of Public Works.

SECT. 2 amended, 1946, 591 § 19; revised, 1949, 788 § 1; amended, 1950, 776 § 1. (See 1949, 788 § 2; 1950, 776 § 2.)

SECT. 4 amended, 1947, 472 § 1. (See 1947, 472 § 2.)

SECT. 5 revised, 1941, 596 § 10; two sentences added at end, 1945, 308; section revised, 1946, 234 § 1; amended, 1947, 586; third sentence revised, 1950, 708. (See 1946, 234 § 2.)

SECT. 5A added, 1938, 407 § 1 (establishing a division of waterways in the department of public works); amended, 1946, 591 § 20. (See 1941, 695 § 14; 1946, 582 § 5.)

SECT. 5B added, 1953, 666 § 1 (establishing a division of public beaches in the department of public works). (See 1953, 666 §§ 3-5.)

SECT. 6 amended, 1935, 418 § 1; 1939, 393 § 2; 1945, 241 § 2; revised, 1948, 201 § 1. (See 1939, 393 § 5; 1945, 241 § 3; 1948, 201 § 4.)

SECT. 8 added, 1947, 472 § 3 (relative to the powers and duties of the public works building police).

Chapter 17. — Department of Public Health.

SECT. 2 amended, 1946, 591 § 21; 1947, 658 § 1; 1950, 794.

SECT. 3 revised, 1939, 233 § 1; amended, 1946, 591 § 22. (See 1939, 233 §§ 2, 3.)

SECT. 4 revised, 1941, 596 § 11; 725 § 1. (See 1941, 725 §§ 4-6.)

SECT. 5 revised, 1948, 323.

SECT. 5A added, 1947, 658 § 2 (increasing the salary of the director of sanitary engineering and chief sanitary engineer in the department of public health); repealed, 1954, 564 § 1. (See 1954, 564 §§ 2, 3.)

SECT. 6 revised, 1941, 725 § 2. (See 1941, 725 §§ 4-6.)

SECT. 7 revised, 1941, 725 § 3. (See 1941, 725 §§ 4-6.)

Chapter 18. — Department of Public Welfare.

SECT. 2 amended, 1946, 591 § 23; 1950, 770; revised, 1952, 602 § 1; 1954, 646 § 2. (See 1952, 602 §§ 15-18.)

SECT. 3 revised, 1952, 602 § 2; 1954, 646 § 3. (See 1952, 602 §§ 15-18.)

SECT. 4 revised, 1952, 602 § 3. (See 1952, 602 §§ 15-18.)

SECT. 5 revised, 1948, 310 § 23; 1952, 602 § 4. (See 1948, 310 § 31; 1952, 602 §§ 15-18.)

SECT. 7 amended, 1935, 311 § 1; revised, 1941, 596 § 12; 1952, 602 § 5. (See 1952, 602 §§ 15-18.)

SECT. 8 revised, 1941, 351 § 2; 1952, 602 § 6. (See 1952, 602 §§ 15-18.)

SECT. 9 revised, 1941, 596 § 13; 1952, 602 § 7. (See 1952, 602 §§ 15-18.)

SECTS. 10A-10C added, 1952, 602 § 8 (relative to the powers and duties of the director of the administrative division of the department). (See 1952, 602 §§ 15-18.)

SECT. 11 repealed, 1945, 336 § 1.

SECT. 15 amended, 1945, 336 § 2.

SECTS. 11-16 repealed and heading preceding section 11 stricken out, 1948, 310 § 24. (See 1948, 310 § 31.)

SECTS. 17 and 18 added, under caption "STATE BOARD OF HOUSING", 1933, 364 § 1 (establishing within the department a state board of housing).

SECT. 17 amended, 1935, 449 § 1; 1938, 485 § 1; repealed, 1948, 260 § 1. (See 1938, 485 § 2; 1948, 260 §§ 5, 6.)

SECT. 18 amended, 1935, 449 § 1A; first sentence revised, 1941, 596 § 14; repealed, 1948, 260 § 1. (See 1948, 260 §§ 5, 6.)

Chapter 19. — Department of Mental Health (former title, Department of Mental Diseases).

SECT. 1 revised, 1938, 486 § 2; 1939, 511 § 1. (See 1938, 486 §§ 1, 21, 22; 1939, 511 § 3.)

SECT. 2 revised, 1938, 486 § 3; 1939, 511 § 2; 1946, 591 § 24; 1951, 722. (See 1938, 486 §§ 21, 22; 1939, 511 § 3.)

SECT. 3 repealed, 1938, 486 § 4.

SECT. 4 revised, 1938, 486 § 5. (See 1938, 486 §§ 21, 22.)

SECT. 4A amended, 1938, 486 § 6. (See 1938, 486 §§ 21, 22.)

SECT. 5 amended, 1935, 314 § 2, 421 § 3; 1950, 684 § 2; 1954, 469 § 3. (See 1935, 421 §§ 5, 6; 1950, 684 §§ 11, 12; 1954, 469 § 6.)

SECT. 7 added, 1950, 764 (establishing a board of appeal in the department of public health); repealed, 1953, 477.

Chapter 20. — Department of Agriculture.

SECT. 2 amended, 1946, 591 § 25.

SECT. 4 amended, 1933, 74 § 1; revised, 1934, 340 § 1; amended, 1941, 490 § 2; revised, 1941, 596 § 15; amended, 1943, 447; revised, 1953, 594 § 1. (See 1934, 340 § 18.)

SECT. 6 added, 1934, 340 § 2 (experts and assistants in division of livestock disease control); revised, 1953, 594 § 2. (See 1934, 340 § 18.)

SECTS. 1-6 revised, 1954, 674 § 1. (See 1954, 674 §§ 3-5.)

SECTS. 7-9 added, under caption "DIVISION OF MILK CONTROL", 1941, 691 § 1. (See 1941, 691 §§ 3-6.)

SECT. 7 revised, 1945, 497 § 1; second sentence amended, 1951, 690; section revised, 1953, 604 § 1; amended, 1954, 674 § 2; third paragraph amended, 1954, 484. (See 1945, 497 § 2; 1953, 604 §§ 6, 8.)

SECT. 8 revised, 1953, 604 § 1.

SECT. 9 revised, 1953, 604 § 1.

(For prior temporary legislation see 1934, 376; 1936, 300; 1938, 334; 1939, 413; 1941, 418 § 1; 631 § 1.)

Chapter 21. — Department of Natural Resources (former title, Department of Conservation).

Chapter stricken out and new chapter 21 inserted, 1948, 651 § 1. (See 1948, 651 §§ 2-7.)

Chapter stricken out and new chapter (with new title) inserted, 1953, 631 § 1. (See 1953, 631 §§ 2-12.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

Chapter 22. — Department of Public Safety.

SECT. 2 amended, 1946, 591 § 32; 1948, 517 § 1; 1949, 690; 1951, 570. (See 1948, 517 § 2.)

SECT. 3, paragraph added at end, 1954, 650.

SECT. 4 revised, 1946, 591 § 33; 1948, 634 § 1. (See 1948, 634 § 3.)

SECT. 4A added, 1948, 634 § 2 (providing for the appointment of a chief of inspections in the department of public safety); amended, 1951, 721. (See 1948, 634 § 3.)

SECT. 5 revised, 1953, 644.

SECT. 7A amended, 1948, 318.

SECT. 7B added, 1945, 631 (relative to payment of compensation for injuries or death of officers or inspectors of the department of public safety performing police services).

SECT. 7C added, 1952, 595 (providing that no deductions shall be made from the salaries of state police officers for their subsistence).

SECT. 9A, sentence added at end, 1939, 503 § 4; same sentence revised, 1943, 175; last sentence of first paragraph revised, 1954, 313 § 1; paragraph added at end, 1947, 407; 1949, 502. (See 1939, 503 § 5.)

SECT. 9B amended, 1939, 508 § 11.

SECT. 9C added, 1933, 239 (relative to the uniform of members of the state police).

SECT. 9D added, 1945, 694 (relative to time off for certain members of the division of state police); amended, 1949, 487; revised, 1954, 489 § 1. (See 1954, 489 § 2.)

SECT. 9E added, 1951, 335 (relative to training schools for local police officers).

SECT. 9F added, 1953, 474 § 1 (establishing a board of teletype-writer regulations in the department of public safety). (See 1953, 474 § 2.)

SECT. 11 revised, 1945, 643 § 1. (See 1945, 643 § 3.)

SECT. 13 added, 1943, 544 § 1 (establishing within the department of public safety, a board of standards and appeals); revised, 1945, 645 § 1; first two sentences revised, 1945, 722 § 3; 1946, 522. (See 1943, 544 § 7; 1945, 645 §§ 5, 6; 722 § 4.)

SECT. 14 added, 1945, 710 § 1 (establishing within the department of public safety a board of fire prevention regulations). (See 1945, 710 § 18.)

Chapter 23. — Department of Labor and Industries.

SECT. 2 revised, 1943, 321; 1946, 591 § 34; amended, 1950, 707; 1951, 560.

SECT. 3 amended, 1934, 331 § 1; second and third sentences revised, 1935, 479 § 1; third sentence revised, 1941, 490 § 4; 1954, 578 § 1. (See 1935, 479 § 7.)

SECT. 4 amended, 1934, 331 § 2; 1935, 479 § 2; first two sentences amended, 1939, 261 § 1; section amended, 1941, 490 § 5; first two sentences revised, 1941, 596 § 16; same two sentences revised, 1941, 707 § 1. (See 1939, 261 § 25.)

SECT. 5 amended, 1935, 479 § 3. (See 1935, 479 § 7.)

SECT. 8 amended, 1939, 261 § 2. (See 1939, 261 § 25.)

SECT. 9 revised, 1935, 60 § 1.

SECT. 9A revised, 1932, 99; repealed, 1933, 73.

SECT. 9B repealed, 1933, 73.

SECT. 9C revised, 1932, 187; repealed, 1933, 73.

SECT. 9D repealed, 1939, 261 § 3.

SECT. 9E amended, 1941, 490 § 6.

SECT. 9G amended, 1939, 459 § 2. (See 1939, 459 § 3.)

SECT. 9H revised, 1933, 362; 1939, 261 § 4.

SECTS. 9I-9N added, 1935, 479 § 4 (establishing the Unemployment Compensation Commission, and defining its powers and duties); same sections revised and the powers and duties of the commission conferred and imposed upon the director of the division of unemployment compensation, 1939, 20 § 1; name of said division changed to division of employment security, 1941, 685 § 4. (See 1935, 479 §§ 6, 7; 1939, 20 §§ 6, 7, 8, 9.)

SECT. 9I paragraph (a) revised, 1941, 685 § 4; 709 § 4; paragraph (b) revised, 1941, 596 § 17; 1946, 591 § 35; section revised, 1950, 792. (See 1941, 685 § 6; 709 §§ 1-3.)

SECT. 9K, first sentence revised, 1941, 709 § 5; fourth sentence (as appearing in 1939, 20 § 1) revised, 1947, 610 § 1. (See 1941, 709 §§ 1-3.)

SECT. 9L amended, 1941, 709 § 6.

SECT. 9N, paragraph (b) revised, 1941, 611 § 1; section revised, 1941, 685 § 5; paragraph (a) amended, 1947, 610 § 2; paragraph (b) amended, 1946, 591 § 36; 1949, 720; 1951, 763 § 21A. (See 1941, 611 §§ 2, 3, 685 § 6; 1951, 763 § 22.)

SECTS. 9O-9R added, under the caption "LABOR RELATIONS COMMISSION", 1938, 345 § 1 (incorporating the provisions of 1937, 436 relative to the labor relations commission as an addition to the general laws). (See 1938, 345 §§ 3, 4.)

SECT. 9P, first sentence revised, 1950, 709; second sentence amended, 1950, 691 § 2.

SECT. 11A (and caption) added, 1934, 331 § 3 (division of occupational hygiene).

SECTS. 11B-11D added, under the caption "THE MASSACHUSETTS DEVELOPMENT AND INDUSTRIAL COMMISSION", 1937, 427 (establishing the Massachusetts development and industrial commission for the promotion and development of the industrial, agricultural and recreational resources of the commonwealth).

SECT. 11C revised, 1941, 596 § 17A.

SECT. 11D, paragraph added at end, 1950, 652.

SECTS. 11B-11D repealed, 1953, 409 § 3.

SECTS. 11E-11L added, under the caption "DIVISION OF APPRENTICE TRAINING", 1941, 707 § 2. (For prior temporary legislation see 1938, 448; 1939, 471.)

SECT. 11K, first paragraph amended, 1954, 681 § 4. (See 1954, 681 §§ 20, 22.)

SECTS. 11M-11O added, 1954, 578 § 2 (establishing a council on the employment of the aging).

SECTS. 14-23 added, 1953, 314 § 1 (establishing a division of industrial accidents within the department of labor and industries). (See 1953, 314 §§ 7-13.)

Chapter 23A. — Department of Commerce.

New chapter inserted, 1953, 409 § 1. (See 1953, 409 §§ 9-13.)

SECT. 6, clause (i) added, 1954, 643 § 3.

Chapter 24. — Department of Industrial Accidents.

Chapter repealed, 1953, 314 § 14.

Chapter 25. — Department of Public Utilities.

SECT. 2 amended, 1946, 591 § 38; 1950, 807; sentence inserted after third sentence, 1953, 296 § 1. (See 1953, 296 § 2.)

SECT. 3 revised, 1949, 257.

SECT. 4 revised, 1938, 221; paragraph added at end, 1951, 101.

SECT. 4A added, 1950, 526 (relative to the place of holding certain hearings on rates or reductions in service); revised, 1953, 327.

SECT. 5 revised, 1953, 575 § 1. (See 1953, 575 § 2.)

SECT. 5A revised, 1952, 453.

SECT. 8A added, 1939, 442 § 2 (authorizing the appointment of employees for the administration and enforcement of the sale of securities law).

SECT. 9A added, 1933, 76 § 2 (providing for certain employees serving directly under the commission of the department to perform its duties relative to smoke abatement in Boston and vicinity); repealed, 1934, 352 § 2.

SECT. 10 amended, 1933, 76 § 3; 1934, 352 § 3; 1939, 442 § 3.

SECT. 10A added, 1933, 76 § 4 (providing for the apportionment of expenses incurred by the department in the performance of its duties relative to smoke abatement in Boston and vicinity); repealed, 1934, 352 § 4.

SECTS. 11 and 12 repealed, 1935, 411 § 1. (See 1935, 411 § 2.)

SECT. 12A revised, 1938, 445 § 1; repealed, 1939, 442 § 1.

SECT. 12B revised, 1932, 290 § 2; repealed, 1939, 442 § 1.

SECTS. 12C-12F repealed, 1933, 76 § 1; new sections 12C-12E added, under caption "DIVISION OF SMOKE INSPECTION", 1934, 352 § 1; repealed, 1954, 672 § 1. (See 1954, 672 §§ 2, 5, 6.)

SECT. 12C revised, 1941, 596 § 18; repealed, 1954, 672 § 1. (See 1954, 672 §§ 2, 5, 6.)

SECT. 12F added, 1935, 405 § 1 (establishing in the department a commercial motor vehicle division, under the charge of a director thereof); phrase added at end, 1935, 477 § 2; section amended, 1939, 335 § 1; revised, 1941, 596 § 19; new sentence added at end, 1941, 653 § 1; same sentence stricken out, 1951, 664 § 8. (See 1939, 335 § 2.)

SECT. 12G added, 1936, 117 (authorizing the director of the commercial motor vehicle division in the department of public utilities to summon witnesses, administer oaths and take testimony).

Chapter 26. — Department of Banking and Insurance.

For temporary legislation providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

SECT. 2 amended, 1943, 315; 1946, 591 § 39; 1949, 786.

SECT. 3 revised, 1941, 596 § 20.

SECT. 4 revised, 1941, 596 § 21.

SECT. 6 amended, 1943, 317; 1946, 591 § 40; 1951, 776.

SECT. 8A revised, 1934, 2; amended, 1935, 419; second sentence revised, 1947, 94.

SECT. 9 amended, 1947, 260 § 1.

SECT. 10, sentence added at end, 1943, 346; section amended, 1947, 260 § 2.

Chapter 27. — Department of Correction.

SECT. 1 amended, 1946, 591 § 41.

SECT. 2 revised, 1939, 90; 1941, 596 § 22.

SECT. 4 repealed, 1941, 690 § 7.

SECT. 5 revised, 1934, 350 § 1; 1937, 399 § 1; 1948, 586. (See 1934, 350 §§ 2-4; 1937, 399 §§ 3-6.)

SECT. 5A added, 1941, 690 § 6 (relative to the employment of agents and employees of the parole board to perform duties in connection with the release of prisoners); last sentence stricken out, 1945, 449 § 1; section revised, 1954, 567 § 1. (See 1941, 690 §§ 8, 10; 1954, 567 § 10.)

SECT. 5B added, 1954, 567 § 2 (relative to the powers and duties of the parole board). (See 1954, 567 § 10.)

Chapter 28. — Metropolitan District Commission.

For legislation abolishing the metropolitan district water supply commission and transferring its functions to the metropolitan district commission, see 1947, 583.

SECT. 2 amended, 1946, 591 § 42; revised, 1949, 795.

SECT. 3 revised, 1936, 244 § 1; 1941, 596 § 23. (See 1936, 244 § 4.)

SECT. 4 amended, 1936, 244 § 2. (See 1936, 244 § 4.)

SECTS. 5 and 6 repealed, 1941, 466 § 6.

Chapter 29. — State Finance.

For temporary legislation as to emergency state financing, see 1933, 49, 104, 307, 341, 365, 367, 368; 1934, 41, 66, 313, 335; 1935, 221, 300, 380, 392, 456; 1936, 309; 1937, 338; 1938, 20, 57, 481, 501 § 3; 1939, 288, 417, 418, 496; 1941, 129; 1943, 413; 1945, 324; 1947, 206.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

SECT. 1, paragraph added at end, 1939, 502 § 1; same paragraph revised, 1941, 509 § 2; same paragraph stricken out, 1945, 242 § 2. (See 1941, 509 § 9.)

SECT. 2 revised, 1950, 40.

SECT. 3 revised, 1939, 502 § 2; amended, 1945, 242 § 3.

SECT. 4 amended, 1939, 502 § 3; 1945, 242 § 4.

SECT. 5 revised, 1939, 502 § 4; 1941, 656 § 2; 1945, 242 § 5; 637 § 2. (See 1941, 656 § 17; 1945, 279.)

SECT. 5A amended, 1939, 502 § 5; 1945, 242 § 6.

SECT. 6 amended, 1937, 426 § 1; revised, 1939, 502 § 6; amended, 1941, 490 § 7; 656 § 3; revised, 1945, 242 § 7; fifth sentence revised, 1945, 548 § 2. (See 1937, 426 § 2; 1941, 656 § 17; 1945, 548 § 3.)

SECT. 8 revised, 1947, 312; stricken out, 1953, 612 § 7.

SECT. 8A added, 1939, 427 (relative to competitive bidding on state contracts); revised, 1941, 547 § 1; first sentence amended, 1951, 401.

SECT. 9A revised, 1939, 502 § 7; amended, 1941, 656 § 4; 1945, 242 § 8. (See 1941, 656 § 17.)

SECT. 9B added, 1941, 564 § 1 (providing for the allotment of certain appropriations by the governor). (See 1941, 564 § 2.)

SECT. 10 amended, 1936, 256; revised, 1939, 502 § 8; 1941, 656 § 5; amended, 1945, 242 § 9; repealed, 1945, 637 § 3. (See 1941, 656 § 17; 1945, 279.)

SECT. 11 amended, 1939, 502 § 9; 1941, 656 § 6; repealed, 1945, 242 § 10. (See 1941, 656 § 17.)

SECT. 12 amended, 1939, 502 § 10; revised, 1945, 242 § 11; 637 § 4; 1950, 41. (See 1945, 279.)

SECT. 13 revised, 1950, 42.

SECT. 14 revised, 1939, 502 § 11; 1945, 242 § 12; 1950, 43.

SECT. 18, last sentence revised, 1945, 248 § 3; amended, 1953, 263 § 2. (See 1945, 248 §§ 4, 5; 1953, 263 § 3.)

SECT. 20 revised, 1950, 44.

SECT. 20A added, 1937, 407 (relative to public inspection of certain orders and claims, in advance of approval or rejection thereof, in connection with state contracts).

SECT. 25 amended, 1941, 656 § 7. (See 1941, 656 § 17.)

SECT. 26 revised, 1939, 502 § 12; amended, 1941, 656 § 8; 1945, 242 § 13; revised, 1947, 636 § 1. (See 1941, 656 § 17.)

SECT. 27 amended, 1937, 359; revised, 1939, 502 § 13; amended, 1941, 656 § 9; revised, 1947, 636 § 2; 1950, 45. (See 1941, 656 § 17.)

SECT. 29 amended, 1939, 502 § 14; 1943, 345; revised, 1947, 636 § 3; 1950, 46.

SECT. 31, last sentence amended, 1932, 127 § 2; section amended, 1941, 508; last sentence amended, 1945, 545; section revised, 1945, 635 § 1; 1946, 580 § 1; 1949, 386. (See 1946, 580 § 3; 1947, 527; 1948, 501.)

SECT. 31A added, 1946, 520 (providing for payment of accumulated vacation allowances of state employees upon death or separation from service); amended, 1954, 680 § 4; paragraph (c) added, 1953, 521; amended, 1954, 680 § 4.

SECT. 31B added, 1946, 580 § 2 (providing that teachers in certain state institutions may be paid weekly).

SECT. 31C added, 1954, 352 § 1 (relative to the vacation time of persons holding non-teaching positions in any school or college of the Commonwealth). (See 1954, 352 § 2.)

SECT. 32 revised, 1951, 759 § 1. (See 1951, 759 § 3.)

SECT. 32A added, 1951, 759 § 2 (relative to payment of unclaimed wages or salaries due from the Commonwealth). (See 1951, 759 § 3.)

SECT. 34 amended, 1936, 333; 1948, 396; revised, 1953, 223; 1954, 135; affected, 1946, 608 § 3.

SECT. 38, subdivision (h) added, 1934, 356; first paragraph amended, 1945, 658 § 7. (See 1945, 658 § 11.)

SECT. 47 stricken out and sections 47, 47A inserted, 1945, 637 § 5. (See 1945, 279.)

SECT. 48A added, 1937, 252 (authorizing the use of facsimile signatures of the governor on certain bonds and notes of the commonwealth); amended, 1946, 128.

SECT. 50 revised, 1939, 502 § 15; 1941, 656 § 10; 1945, 242 § 14. (See 1941, 656 § 17.)

SECT. 52 revised, 1954, 389 § 1. (See 1954, 389 § 2.)

SECT. 56 revised, 1953, 272.

SECT. 62 repealed, 1943, 83 § 2.

SECT. 63 added, 1937, 157 (providing for taxpayers' petitions for enforcement of certain provisions of law relative to state finance).

Chapter 30. — General Provisions Relative to State Departments, Commissions, Officers and Employees.

Provisions relative to expenses incurred for certain meals by state employees, 1933, 174 § 8; 1934, 162 § 6; 1935, 249 § 7; 1936, 304 § 7; 1937, 234 § 6; 1938, 356 § 5; 1939, 309 § 4; 1941, 419 § 4; 1943, 68 § 4; 370 § 4.

Provisions relative to the purchase of passenger automobiles, 1939, 309 § 4; 1941, 419 § 4; 1943, 68 § 4; 370 § 4.

Provisions relative to expenses incurred by state employees in the operation of motor vehicles, 1939, 309 § 5; 1941, 419 § 5; 1943, 68 § 5; 370 § 5; 1945, 404 § 5; 682 § 4; 1946, 309 § 5; 617 § 5; 1947, 219 § 5; 685 § 5.

For legislation relative to commencement of terms of certain state officers, see 1939, 304.

SECT. 7 revised, 1937, 414 § 1; amended, 1941, 512; 1947, 376.

SECT. 9A added, 1946, 269 (regulating the separation from the service of the commonwealth of certain war veterans holding unclassified offices or positions); revised, 1947, 242.

SECT. 9B added, 1946, 524 (protecting certain officers and employees of the commonwealth against arbitrary removal); revised, 1950, 717.

SECT. 13 revised, 1951, 409.

SECT. 23A added, 1952, 142 (relative to the appointment of trustees of state institutions to certain offices or positions therein).

SECT. 24 revised, 1937, 430; 1945, 508; 1946, 408; amended, 1954, 680 § 5.

SECT. 24A added, 1945, 565 (relative to compensation for state employees who are required to work on state-wide legal holidays); amended, 1946, 411; revised, 1948, 498; amended, 1953, 400.

SECT. 26 repealed, 1948, 255.

SECT. 28 revised, 1941, 656 § 11. (See 1941, 656 § 17.)

SECT. 30A amended, 1945, 580 § 5.

SECT. 32 revised, 1939, 499 § 4; 1945, 292 § 4; first sentence revised, 1950, 488.

SECT. 32A added, 1939, 499 § 4A (relative to the force and effect of rules and regulations included in annual reports); repealed, 1945, 292 § 5.

SECT. 33 revised, 1939, 499 § 5; 1945, 292 § 6; amended, 1948, 67.

SECT. 33A amended, 1939, 499 § 6; 1945, 292 § 7.

SECT. 35 amended, 1945, 580 § 6. (See 1945, 580 § 9.)

SECT. 36 revised, 1948, 584 § 1.

SECT. 37 revised, 1951, 556 § 1. (See 1951, 556 § 2.)

SECT. 37A added, 1951, 576 (providing for public hearings prior to issuance of rules and regulations containing penalties); repealed, 1954, 681 § 2. (See 1954, 681 §§ 20, 22.)

SECT. 38, paragraph added at end, 1954, 680 § 6.

SECT. 39 revised, 1934, 351; amended, 1935, 217 § 1; revised, 1935, 472 § 1.

SECTS. 39A-39E added, 1951, 694 (requiring security for certain motor truck carriers performing work under contract with the commonwealth or any political subdivision thereof).

SECT. 39F added, 1954, 609 (providing a method of payment to certain subcontractors on contracts for the construction, reconstruction, altering, remodeling and repair of certain public works by the commonwealth or any political subdivision thereof).

SECT. 42 revised, 1936, 359; amended, 1941, 450 § 1; 1948, 21; revised, 1951, 397.

SECT. 44B added, 1941, 678 § 1 (relative to pipe lines for conveying petroleum and its products and by-products).

SECT. 45, first sentence amended, 1947, 678 § 1; section revised, 1948, 311 § 1; 1954, 680 § 9. (See 1948, 311 §§ 4, 5.)

SECT. 46 revised, 1947, 613 § 1; 1948, 311 § 2; salary schedules revised, 1949, 785 § 1; 1951, 715 §§ 1, 2; 1954, 407 § 1; paragraph (1) revised, 1954, 680 § 10; paragraph (1A) inserted, 1950, 726; paragraph (1B) inserted, 1951, 621; paragraph (2) revised, 1952, 421 § 1; 1954, 407 § 2; paragraph (5) revised, 1954, 680 § 11; paragraph (6) amended, 1949, 406 § 1; revised, 1954, 680 § 12; paragraph (8) revised, 1949, 406 § 2; amended, 1954, 680 § 13. (See 1947, 613 §§ 2, 3; 1948, 311 §§ 4, 5; 1949, 406 §§ 3-6; 1951, 715 §§ 3-5; 1952, 421 § 2; 1954, 407 §§ 3, 4.)

SECT. 46A added, 1954, 680 § 14 (relative to the allocation or reallocation of certain offices or positions in the state classified system).

SECT. 47, last sentence revised, 1941, 656 § 12; same sentence stricken out, 1945, 637 § 6; section revised, 1948, 311 § 3. (See 1941, 656 § 17; 1945, 279; 1948, 311 §§ 4, 5; 1949, 406 § 3.)

SECT. 48 amended, 1954, 680 § 15.

SECT. 49 amended, 1954, 680 § 16.

SECTS. 53-57 added, 1945, 485 (providing for the prompt disposition of certain grievances of state employees relating to their employment).

Chapter 30A. State Administrative Procedure.

New chapter inserted, 1954, 681 § 1. (See 1954, 681 §§ 20-22.)

Chapter 31. — Civil Service.

For temporary legislation protecting the civil service rights of certain persons in the military or naval service of the United States, see 1941, 708; 1943, 172, 338, 548; 1945, 610; 1946, 61, 62, 238, 271 §§ 1-4; 1947, 4, 11, 14, 71, 203, 367; 1948, 447; 1949, 169.

For temporary legislation relative to transfers of civil service employees during the present emergency, see 1943, 492.

For temporary legislation making certain veterans eligible to take civil service examinations notwithstanding any age requirements, see 1945, 440 § 1; 1950, 179.

For legislation protecting the civil service rights of certain employees who are veterans attending school or "on-the-job" training under the G. I. Bill of Rights, see 1948, 228.

For legislation relative to promotional examinations for principal interviewer in the division of employment security, see 1948, 263.

For legislation subjecting certain employees of the division of employment security to the civil service laws, see 1949, 773; 1950, 461, 704.

For legislation reclassifying members of fire departments by changing the title of fireman to firefighter, see 1952, 45.

SECT. 1, definitions contained in fourth to eighth lines revised, 1939, 238 § 9; revised, 1945, 703 § 1; definitions of "appointing authority" or "appointing officer" revised, 1953, 153. (See 1939, 238 §§ 52-55).

SECT. 2 revised, 1939, 238 § 10; 1945, 725 § 1.

SECT. 2A added, 1939, 238 § 11 (relative to the duties of the director of civil service); clause (b) revised, 1939, 506 § 1; clause (e) revised, 1941, 402 § 2; clause (c) amended, 1941, 721; section revised, 1945, 725 § 2; paragraph (b) revised, 1951, 302; two sentences added at end, 1953, 286 § 1; sentence added at end, 1954, 295 § 1; paragraph (d) amended, 1954, 680 § 17. (See 1939, 238 §§ 52-55; 1953, 286 § 2.)

SECT. 3, clause (g) added, 1937, 223 (giving preference to blind persons in the employment of typists in certain cases by state departments, boards and commissions); section amended, 1939, 238 § 12; revised, 1939, 498 § 1; clause (a) revised, 1941, 190; section revised, 1945, 702. (See 1939, 238 §§ 51-55.)

SECT. 4, fourth paragraph amended, 1938, 72; paragraph in line 19 stricken out and new paragraph inserted, 1941, 49; sixth paragraph revised, 1932, 282 § 1; section amended, 1939, 238 § 13; paragraph added at end, 1939, 256 § 1; paragraphs added at end by 1941, 625 § 1, 1941, 627 § 1 and 1941, 686 § 2, respectively; paragraphs added at end by 1943, 246 § 1 and 1943, 402 § 1, respectively; section revised, 1945, 701 § 4; paragraph in line 22 revised, 1949, 397; paragraph added at end, 1949, 765 § 1; 1949, 779 § 1. (See 1932, 282 § 4; 1943, 246 § 2; 402 § 2; 1949, 765 § 2; 779 § 2.)

SECT. 5 amended, 1935, 405 § 2; 1936, 244 § 3; 1939, 238 § 14; revised, 1941, 402 § 3; amended, 1945, 355; 701 § 4A; 1948, 387 § 2; 1950, 397; 1951, 26; amended, 1954, 298. (See 1948, 387 § 1.)

SECT. 5A added, 1937, 414 § 2 (relative to the employment by certain municipal officers of persons to serve in a confidential capacity).

SECT. 6, first sentence revised, 1949, 430; sentence added at end, 1932, 260; same sentence amended, 1939, 238 § 15.

SECT. 6A added, 1935, 228 (dispensing with educational requirements as a condition of taking certain civil service examinations).

SECT. 7 revised, 1939, 397.

SECT. 8 amended, 1939, 238 § 16; revised, 1939, 396; 1945, 703 § 3.

SECT. 10 revised, 1939, 238 § 17; 1939, 498 § 2; last sentence stricken out and five sentences inserted, 1945, 703 § 4.

SECT. 12 amended, 1939, 238 § 18; revised, 1945, 704 § 1; first paragraph amended, 1954, 627 § 2; amended, 1946, 271 § 5; paragraph added at end, 1948, 121 § 1; same paragraph amended, 1951, 27. (See 1948, 121 § 2; 1954, 627 §§ 65, 67.)

SECT. 12A added, 1945, 704 § 2 (providing procedure for reviewing markings on civil service examination papers); revised, 1948, 297.

SECT. 13 amended, 1938, 174 § 2; revised, 1945, 703 § 5; sentence added at end, 1952, 214.

SECT. 13A amended, 1939, 238 § 19; revised, 1945, 725 § 3.

SECT. 14 amended, 1939, 238 § 20; repealed, 1945, 725 § 5.

SECT. 15 revised, 1939, 238 § 21; 1939, 506 § 2; 1941, 491; second paragraph revised, 1945, 704 § 3; last paragraph stricken out and three paragraphs inserted, 1945, 704 § 4; section revised, 1946, 103; first paragraph revised, 1951, 41 § 1; fourth paragraph revised, 1951, 41 § 2; fifth paragraph revised, 1954, 376; paragraph A amended, 1948,

489; revised, 1952, 317 § 1; 1954, 267; paragraph B revised, 1952, 317 § 2; paragraph added at end, 1947, 13.

SECT. 15A added, 1933, 267 (restricting the appointment of persons for temporary employment under the civil service laws); amended, 1934, 105; repealed, 1943, 523.

SECT. 15B added, 1943, 520 (authorizing certain promotions from the labor service to the official service of a department, board or commission under the civil service laws); amended, 1946, 52; revised, 1952, 313; 1953, 459.

SECTS. 15C and 15D added, 1945, 704 § 5 (requiring lists of civil service officers and employees to be filed annually with the director of civil service and establishing the method of determining seniority).

SECT. 15C amended, 1946, 53; paragraph inserted after first paragraph, 1950, 385; section revised, 1953, 195.

SECT. 15D, paragraph 1 amended, 1952, 447 § 1; paragraph 2 revised, 1947, 426; definition of "Absence" revised, 1949, 167. (See 1952, 447 § 2.)

SECT. 15E added, 1946, 540 (providing that injuries received by persons employed in a provisional capacity shall not disqualify them for permanent employment under the civil service laws).

SECT. 15F added, 1951, 157 (relative to provisional promotions under civil service laws and probationary periods served therein).

SECT. 16A added, 1939, 506 § 3 (relative to transfers under the civil service laws); revised, 1945, 703 § 6.

SECT. 17 amended, 1934, 94; revised, 1939, 76; amended, 1939, 238 § 22.

SECT. 18 amended, 1939, 238 § 23; revised, 1945, 703 § 9; amended, 1947, 22.

SECT. 18A added, 1941, 627 § 4 (positions in the labor service of the department of public works to be classified by districts); sentence added at end, 1945, 389.

SECT. 19A added, 1932, 146 (relative to appointments to the regular fire forces in certain cities having reserve fire forces); amended, 1939, 238 § 24; revised, 1941, 38; amended, 1943, 530; revised, 1949, 55.

SECT. 19B added, 1949, 288 (relative to appointments of intermittent firemen to the regular force in cities and towns).

SECT. 20 amended, 1939, 238 § 25; revised, 1939, 419 § 3; 1945, 704 § 6; 1947, 354 § 1; paragraph added at end, 1951, 279. (See 1947, 354 § 2.)

SECT. 20A amended, 1939, 238 § 26; revised, 1941, 39; 1952, 167 § 1; 1953, 255 § 1; amended, 1954, 136 § 1. (See 1952, 167 § 3; 1953, 255 § 2.)

SECT. 20B added, 1937, 416 § 3 (providing for appointments to the regular police force of the metropolitan district commission from the list of members of the reserve police force); amended, 1939, 238 § 27; repealed, 1939, 441 § 2. (See 1937, 416 § 5; repealed, 1939, 441 § 3.)

SECT. 20C added, 1941, 621 (relative to appointments to the regular police force in certain cities and towns); revised, 1952, 167 § 2; amended, 1954, 136 § 2. (See 1952, 167 § 3.)

SECT. 20D added, 1945, 703 § 2 (relative to the serving of probationary periods in offices and positions subject to civil service).

SECT. 21 amended, 1932, 89; revised, 1933, 137; amended, 1939, 238 § 28; 1943, 194, 469; 1946, 216; 1950, 289 § 1; revised, 1951, 663; 1954, 627 § 3. (See 1950, 289 § 2; 1954, 627 §§ 65, 67.)

SECT. 21A added, 1954, 688 § 1 (further defining the word "veteran" as used in certain laws).

SECT. 22 amended, 1939, 238 § 29; first sentence revised, 1954, 627 § 4; paragraph added at end, 1946, 345. (See 1954, 627 §§ 65, 67.)

SECT. 22A added, 1946, 221 (making certain veterans eligible for examinations and appointment to police and fire departments notwithstanding certain age requirements); revised, 1947, 287.

SECT. 23 amended, 1939, 238 § 30; sentence added at end, 1949, 642 § 1; section revised, 1954, 627 § 5. (See 1954, 627 §§ 65, 67.)

SECT. 23A added, 1954, 627 § 6 (defining "Disabled Veteran." (See 1954, 627 §§ 65, 67.)

SECT. 23B added, 1954, 627 § 6 (providing for preference in civil service appointments for widows and widowed mothers of certain veterans). (See 1954, 627 §§ 65, 67.)

SECT. 24 amended, 1939, 238 § 31; sentence added at end, 1949, 642 § 2.

SECT. 25 amended, 1939, 238 § 32; 1946, 145; revised, 1948, 407.

SECT. 29 amended, 1939, 238 § 33; revised, 1945, 725 § 4; amended, 1948, 138.

SECT. 30 amended, 1939, 238 § 34; repealed, 1945, 725 § 5.

SECT. 31 amended, 1939, 238 § 35; revised, 1939, 422 § 1.

SECT. 31A added, 1939, 422 § 2 (relative to the making of reports by department heads pertaining to civil service employees).

SECT. 31B added, 1941, 165 § 1 (relative to the preparation and keeping of rosters of positions in the classified civil service and incumbents thereof in connection with the payment of salaries or compensation). (See 1941, 165 § 2.)

SECT. 32 amended, 1939, 238 § 36; revised, 1939, 420 § 1.

SECT. 32A added, 1939, 420 § 2 (providing that records and files relating to civil service employees be public records); repealed, 1945, 703 § 10.

SECT. 33 amended, 1939, 238 § 37; revised, 1939, 420 § 3.

SECT. 34 amended, 1939, 238 § 38; revised, 1939, 420 § 4.

SECT. 35 repealed, 1941, 559.

SECT. 36 amended, 1939, 238 § 39; revised, 1945, 701 § 1.

SECT. 37 amended, 1939, 238 § 40.

SECT. 38 amended, 1939, 238 § 41; revised, 1939, 422 § 3.

SECT. 39 amended, 1939, 238 § 42.

SECT. 40 amended, 1939, 238 § 43; repealed, 1945, 703 § 10.

SECT. 42 amended, 1939, 238 § 44.

SECT. 42A repealed, 1945, 667 § 4.

SECT. 42B repealed, 1945, 667 § 4.

SECT. 43 revised, 1945, 667 § 1; paragraph (f) revised, 1946, 379; section revised, 1947, 373 § 1; paragraph (a) amended, 1949, 170 § 1; second sentence revised, 1949, 429 § 1; paragraphs (b) and (c) revised, 1948, 240; paragraph (e), first sentence revised, 1949, 429 § 2.

SECT. 45 amended, 1934, 249 § 2; revised, 1945, 667 § 2.

SECT. 45A added, 1934, 190 (providing a method of avoiding multiplicity of petitions for judicial review to determine seniority rights in the classified labor service); amended, 1941, 166.

SECT. 45B added, 1941, 135 (requiring clerks of district courts to furnish certain information to the director of civil service); amended, 1945, 667 § 3.

SECT. 46 amended, 1932, 282 § 2; revised, 1934, 249 § 1; amended, 1941, 257; repealed, 1945, 667 § 4.

SECT. 46B amended, 1939, 238 § 45; repealed, 1945, 667 § 4.

SECTS. 46C and 46D added, 1933, 320 (providing for the reinstatement of certain municipal officers and employees).

SECT. 46C amended, 1934, 84; 1936, 66; revised, 1938, 297 § 1; amended, 1939, 238 § 46; revised, 1945, 704 § 8; amended, 1947, 373 § 2.

SECT. 46D repealed, 1945, 704 § 7.

SECT. 46E added, 1934, 207 (providing that a leave of absence of less than six months shall not be deemed a separation from the classified civil service in certain cases); first paragraph revised, 1945, 703 § 7; amended, 1951, 37; paragraph added at end, 1936, 297; same paragraph amended, 1939, 238 § 47; 1941, 136.

SECT. 46F added, 1935, 337 (providing for the reinstatement of members of the police force of the metropolitan district commission in certain cases); amended, 1939, 238 § 48; repealed, 1945, 704 § 7.

SECT. 46G added, 1935, 408 (relative to seniority rights in respect to the suspension and re-employment of persons in the classified civil service in certain cases); revised, 1938, 297 § 2; 1945, 704 § 9; amended, 1949, 170 § 2.

SECT. 46H added, 1936, 287 § 1 (providing for the reinstatement in the classified civil service of retired municipal officers and employees in certain cases of invalid retirement); amended, 1939, 238 § 49.

SECT. 46I added, 1945, 703 § 8 (providing for the establishment of re-employment lists of persons separated from the official or labor service otherwise than by resignation or discharge); amended, 1946, 60; revised, 1947, 12; paragraph added at end, 1951, 420.

SECT. 46J added, 1946, 288 (relative to the right of civil service employees to petition the general court and to appear before committees thereof).

SECT. 46K added, 1952, 138 (authorizing civil service employees to petition their municipal government and to appear before committees thereof).

SECT. 47 revised, 1945, 701 § 2.

SECT. 47A added, 1941, 195 (providing that certain employees in the classified public service shall not be subject to a probationary period); revised, 1945, 701 § 3; second paragraph amended, 1946, 59; first two paragraphs revised, 1948, 278; paragraph added at end, 1950, 376 § 1. (See 1950, 376 § 2.)

SECT. 47B added, 1941, 290 (relative to the classification and establishment of seniority of certain civil service employees); revised, 1945, 701 § 5.

SECTS. 47C and 47D added, 1941, 402 § 1 (establishing a merit system, substantially similar to the civil service system, for certain officers and employees of local boards of public welfare). (See 1941, 402 §§ 4-9.)

SECT. 47C, paragraph (1) revised, 1941, 588 § 1; 1950, 793 § 1; 1951, 741 § 3. (See 1941, 588 § 3; 1950, 793 § 2.)

SECT. 47E added, 1951, 537 (providing annual step-rate increases for municipal public welfare employees).

SECT. 48 revised, 1945, 701 § 6; first paragraph amended, 1953, 306; 1954, 90; paragraph added at end, 1947, 239.

SECT. 49 repealed, 1945, 701 § 7.

SECT. 49A added, 1939, 183 (authorizing cities and towns to place certain offices under the civil service laws by vote of the voters thereof); revised, 1941, 414; revised, 1945, 701 § 8.

Chapter 32. — Retirement Systems and Pensions.

For temporary legislation providing for the return of certain moneys paid into the state retirement fund by certain former members of the General Court, see 1954, 615.

For temporary legislation protecting the retirement rights of certain persons in the military or naval service of the United States, see 1941, 708; 1943, 172, 419, 548; 1945, 455, 610, 699; 1947, 4, 11, 14, 203, 367.

For legislation relative to the temporary re-employment of former officers and employees of the commonwealth or of any political subdivision thereof during the continuance of the existing state of war between the United States and any foreign country, see 1942, 16; 1943, 502; 1946, 55, 306.

For legislation relative to the retirement of assistant attorneys general, see 1948, 659.

For legislation relative to the retirement of county commissioners, see 1948, 662.

For legislation relative to increasing the amounts of pensions and retirement allowances payable to certain former public employees, see 1950, 820; 1951, 781; 1952, 624; 1953, 471, 472.

Sects. 1-38A, as amended, stricken out and twenty-eight new sections, 1-28, inserted, 1945, 658 § 1. (See 1945, 658 §§ 9-11.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 1 to 28 as so inserted:

SECT. 1, definition of "Beneficiary" revised, 1949, 618 § 1; definition of "District" amended, 1953, 583 § 1; definition of "Employee" revised, 1947, 660 § 1; 1950, 537; sentence added at end, 1950, 600 § 1; definition of "Employee" revised, 1951, 543 § 1; amended, 1952, 185; definition of "Governmental Unit" revised, 1947, 667 § 1; definition of "Political subdivision" revised, 1948, 507 § 1; definition of "Regular compensation" revised, 1948, 606; sentence added at end, 1952, 423 § 1; next to last sentence revised, 1952, 515 § 2; definition of "Teacher" amended, 1951, 543 § 2; revised, 1952, 434 § 1; definition of "Veteran" amended, 1950, 710; sentence added at end, 1951, 526 § 1; revised, 1954, 627 § 7; amended, 1954, 688 § 2. (See 1950, 600 § 3; 1951, 543 § 3; 1952, 423 § 2; 1954, 627 §§ 65, 67.)

SECT. 3, subdivision (2), paragraph (a), clauses (iv), (v) revised, 1951, 644 § 1; clause (vi) revised, 1947, 660 § 2; 1951, 644 § 1; clause (x) added, 1950, 600 § 2; clause (xi) added, 1952, 515 § 1; paragraph (b) revised, 1947, 660 § 2; paragraph (d) revised, 1947, 660 § 2; amended, 1947, 667 § 2; paragraph (f) revised, 1951, 644 § 2; definition of *Group B* in paragraph (g), amended, 1946, 403 § 1; revised, 1947, 423; amended, 1947, 667 § 3; 1949, 746 § 1; revised, 1950, 728; amended, 1952, 157; revised, 1954, 445 § 1; subdivision (3), first sentence stricken out and two sentences inserted, 1947, 388 § 1; first sentence revised, 1949, 578 § 1 (see 1949, 578 § 2); subdivision revised, 1952, 428 § 1; 1954, 684 § 1; subdivision (3A) added, 1946, 538 § 1; subdivision (4) revised, 1946,

403 § 2; 492; first sentence amended, 1947, 416; subdivision revised, 1951, 505 § 1; amended, 1954, 684 § 2; subdivision (5) amended, 1946, 481; revised, 1946, 603 § 1; paragraph (a) added, 1947, 660 § 4; subdivision revised, 1947, 667 § 4; first sentence revised, 1952, 524 § 1; amended, 1954, 684 § 3; subdivision (6), paragraph (d) revised, 1946, 403 § 3; amended, 1952, 524 § 2; 1954, 684 § 4; paragraph (e) amended, 1947, 388 § 2; paragraph (f) amended, 1948, 393; subdivision (8) paragraph (b) amended, 1952, 524 § 3; 1954, 684 § 5; paragraph (c) amended, 1947, 388 § 3. (See 1950, 600 § 3; 1950, 715; 1951, 644 § 3, 790, 505 § 2; 1952, 423 § 2, 428 § 2; 1954, 445 § 2; 1954, 684 § 8.)

SECT. 4, subdivision (1), paragraph (a) amended, 1947, 660 § 3; paragraph (h) revised, 1954, 627 § 8; paragraph (i) added, 1946, 493 § 1; paragraph (j) added, 1946, 538 § 2; subdivision (2), paragraph (b) revised, 1946, 403 § 4; paragraph (c) revised, 1946, 403 § 5; amended, 1952, 524 § 4; 1954, 684 § 6. (See 1946, 493 § 2; 1954, 627 §§ 65, 67; 1954, 684 § 8.)

SECT. 5, subdivision (1), first sentence of paragraph (a) amended, 1947, 388 § 4; paragraph (d), first two sentences stricken out, 1947, 660 § 5; same paragraph amended, 1948, 15 § 1; revised, 1953, 486; paragraph (f) added, 1954, 348; subdivision (2), paragraph (a), first paragraph amended, 1947, 388 § 5; 1949, 656; revised, 1950, 809 § 1; 1951, 783; clause (i) revised, 1949, 671; clause (ii) revised, 1946, 403 § 6; amended, 1947, 388 § 6; clause (iv) added, 1946, 538 § 3; paragraph (b) amended, 1950, 809 § 1A; paragraph (f) amended, 1950, 809 § 2; paragraph (g) added, 1954, 492. (See 1950, 809 § 3; 1951, 783 §§ 2, 3.)

SECT. 6, subdivision (1) amended, 1947, 667 § 5; 1949, 618 § 2, 657; subdivision (3), first sentence of paragraph (a), amended, 1946, 603 § 2; 1947, 388 § 7; second sentence of same paragraph amended, 1949, 618 § 3; paragraph (c) revised, 1952, 181.

SECT. 7, subdivision (1), three sentences added at end, 1949, 618 § 4; subdivision (2), paragraph (a), clause (ii) amended, 1948, 446 § 1; clause (iii) amended, 1950, 713; 1951, 545 § 1; subdivision (5) added, 1949, 618 § 5. (See 1948, 446 § 5.)

SECT. 8, subdivision (1), paragraph (b) amended, 1947, 667 § 6.

SECT. 9, subdivision (2), first paragraph amended, 1948, 446 § 2; paragraph (d) revised, 1951, 545 § 2. (See 1948, 446 § 5.)

SECT. 10, see 1949, 491 § 1; subdivisions (1) and (2) revised, 1950, 813 § 1; 1951, 784 § 1; subdivision (2) (b) amended, 1951, 809. (See 1949, 491 § 2; 1951, 784 § 3.)

SECT. 11, subdivision (2), paragraph (a) amended, 1950, 670 § 1; paragraph (c), first sentence revised, 1947, 667 § 7; sentence added at end, 1949, 618 § 6. (See 1950, 670 § 3.)

SECT. 12, subdivision (2), option (c), two sentences inserted after first sentence, 1946, 403 § 7; option (c), paragraph added at end, 1948, 284; option (c) stricken out and options (c) and (d) inserted, 1949, 618 § 7; option (d) amended and sentence added at end, 1949, 808; sentence added at end, 1950, 670 § 2; 1952, 610 § 1. (See 1952, 610 § 2.)

SECT. 13, subdivision (1), paragraph (a) revised, 1951, 379 § 1. (See 1951, 379 § 2.)

SECT. 14, subdivision (1), paragraph (a) amended, 1951, 99; 1952, 484 § 1; subdivision (2), paragraphs (a), (b) and (c) revised, 1951, 542. (See 1952, 484 § 2.)

SECT. 16, subdivision (2) revised, 1949, 746 § 2; 1951, 784 § 2; subdivision (4), sentence added at end, 1949, 618 § 8. (See 1951, 784 § 3.)

SECT. 18, subdivision (1) revised, 1947, 467; 667 § 8.

SECT. 19 revised, 1952, 599.

SECT. 19A added, 1953, 509 § 1 (authorizing withholding of retirement allowances for payment of subscriber premiums for certain policies or contracts with non-profit hospital and medical service corporations).

SECT. 20, subdivision (2), first sentence of paragraph (c) revised, 1948, 508 § 1 (see 1949, 491 § 2); subdivision (3), paragraph (d) revised, 1946, 267; subdivision (4), paragraph (c) amended, 1950, 163; subdivision (5), paragraph (i) amended, 1954, 642 § 1; paragraph (j) added at end, 1948, 488 § 1. (See 1948, 488 § 2, 508 § 2; 1954, 642 § 2.)

SECT. 21, subdivision (2) amended, 1946, 432 § 3.

SECT. 22, subdivision (1), paragraph (b) amended, 1947, 617; paragraph (c), sentence added at end, 1952, 434 § 2; paragraph (g), first sentence revised, 1947, 388 § 8; fourth sentence amended, 1952, 433; last sentence stricken out and two sentences inserted, 1954, 656 § 1; subdivision (4), paragraph (a), sentence added at end, 1949, 560 § 1; paragraph (c) amended, 1949, 560 § 2; revised, 1951, 407; 1952, 392; subdivision (7), paragraph (c), clause (ii) revised, 1951, 530 § 1. (See 1949, 560 § 3; 1954, 656 § 2.)

SECT. 23, subdivision (2), paragraph (b), clause (iii) revised, 1954, 126 § 1; clause (iv) inserted, 1950, 162 § 1.

SECT. 25, subdivision (1), paragraph (a) revised, 1950, 783 § 1. (See 1950, 783 § 2.)

SECT. 26, subdivision (2), paragraph (b), clause (ii) amended, 1948, 446 § 3; clause (iii) added, 1947, 412; paragraph (c) added, 1948, 446 § 4; subdivision (3), paragraph (c) amended, 1949, 492; 1951, 670 § 1. (See 1948, 446 § 5.)

SECT. 28, subdivision (2), paragraph (a) revised, 1946, 166 § 1; paragraph (f) added, 1946, 166 § 2; paragraph (g) added, 1946, 403 § 8; paragraph (h) added, 1946, 603 § 3; subdivision (3), paragraph (a) revised, 1946, 166 § 3; subdivision (4), paragraph (a) amended, 1953, 583 § 2; last sentence amended, 1946, 403 § 9; subdivision (5) added, 1948, 507 § 2. (See 1953, 583 § 3.)

SECT. 28A added, 1945, 720 § 1 (relative to the retirement of certain officers in the division of state police); paragraph added at end, 1946, 373 § 1. (See 1945, 720 § 2; 1946, 373 § 2.)

SECT. 28B added, 1946, 605 (relative to the retirement of state detectives and inspectors in the division of state police); revised, 1951, 670 § 2.

SECT. 28C added, 1947, 660 § 6 (relative to the retirement of certain members of the general court and constitutional officers; repealed, 1948, 589 § 1. (See 1947, 660 § 7; 1948, 589 §§ 3, 4.)

SECT. 28C added, 1947, 667 § 9 (providing benefits to certain employees of governmental units who are prohibited from joining the contributory retirement systems thereof, in case of accidental disability or accidental death); designation changed from 28C to 28F, 1948, 589 § 4.

SECT. 28D and 28E added, 1948, 589 § 2 (relative to retirement of certain members of the general court and constitutional officers). (See 1948, 589 § 3; 1949, 546, 807 §§ 3, 4.)

SECT. 28D revised, 1949, 807 § 1; last sentence revised, 1952, 581; section repealed, 1952, 634 § 1. (See 1949, 807 §§ 3, 4.)

SECT. 28E revised, 1949, 809 § 1; repealed, 1952, 634 § 2.

SECT. 28F. See 1948, 589 § 4.

SECT. 28G added, 1949, 809 § 2 (relative to the use of the words "fails of re-election"); repealed, 1950, 813 § 2.

SECT. 28H added, 1949, 807 § 2 (relative to the retirement of certain employees of governmental units who are former members of the general court); repealed, 1952, 634 § 3. (See 1949, 807 §§ 3, 4.)

SECT. 28I added, 1950, 700 § 1 (extending benefits of state retirement systems to certain employees of an interstate commission). (See 1950, 700 § 2.)

SECT. 28J added, 1952, 574 § 1 (relative to retirement of certain former members of the general court; repealed, 1952, 634 § 4. (See 1952, 574 § 2.)

SECT. 39, sentence added at end, 1948, 207.

SECT. 43 amended, 1945, 707; 1949, 748 § 1. (See 1949, 748 § 2.)

SECT. 44 revised, 1934, 135; paragraph added at end, 1934, 285 § 1; section amended, 1936, 223; last paragraph amended, 1937, 102 § 1. (See 1937, 202.)

SECT. 45 revised, 1945, 483 § 1.

SECT. 45A added, 1945, 708 § 1 (relative to retirement allowances of school janitors in certain cities and towns). (See 1945, 708 § 2.)

SECT. 45B added, 1949, 407 § 1 (relative to the retirement of certain school janitors and custodians). (See 1949, 407 § 2.)

SECT. 46 revised, 1941, 344 § 1.

SECT. 47 amended, 1941, 344 § 2.

SECT. 48 revised, 1938, 379.

SECTS. 49-51 and caption preceding section 49 stricken out, 1954, 627 § 9. (See 1954, 627 §§ 65, 67.)

SECT. 52 amended, 1932, 114 § 1; 1954, 627 § 10. (See 1954, 627 §§ 65, 67.)

SECT. 53 amended, 1932, 114 § 2; 1954, 627 § 11. (See 1954, 627 §§ 65, 67.)

SECT. 56 revised, 1943, 514 § 1; first paragraph amended, 1947, 453 § 1; revised, 1948, 665 § 1; 1949, 602; 1950, 668 § 1; paragraph added at end, 1945, 677. (See 1943, 514 § 4; 1948, 665 §§ 4, 5.)

SECT. 57 revised, 1943, 514 § 2; amended, 1947, 453 § 2; revised, 1948, 665 § 2; amended, 1950, 668 § 2; 1954, 627 § 12. (See 1943, 514 § 4; 1948, 665 §§ 4, 5; 1954, 627 §§ 65, 67.)

SECT. 57A added, 1945, 658 § 8 (making certain provisions of the contributory pension laws applicable to the retirement of veterans under veterans' non-contributory pension laws).

SECT. 58 revised, 1943, 514 § 3; 1948, 665 § 3; amended, 1950, 668 § 3. (See 1943, 514 § 4; 1948, 665 §§ 4, 5.)

SECT. 58A added, 1945, 671 (further regulating the creditable service of certain veterans in the public service upon their retirement therefrom); revised, 1954, 627 § 13. (See 1954, 627 §§ 65, 67.)

SECT. 60, paragraph added at end, 1934, 285 § 2; same paragraph amended, 1937, 102 § 2; 1938, 452 § 1; section revised, 1945, 483 § 2; 678; 1954, 627 § 14; 1954, 688 § 3. (See 1938, 452 § 2; 1954, 627 §§ 65, 67.)

SECT. 60A, paragraph added at end, 1934, 285 § 3; amended, 1937, 102 § 3; revised, 1945, 483 § 3; repealed, 1954, 627 § 15. (See 1954, 627 §§ 65, 67.)

SECTS. 61-64 repealed, 1937, 409 § 2. (See 1937, 409 §§ 5-7.)

SECT. 65, last sentence stricken out, 1937, 336 § 22; section repealed, 1937, 409 § 2. (See 1937, 409 §§ 5-7.)

SECT. 65A added, 1937, 409 § 1 (relative to the retirement or resignation of members of the judiciary); amended, 1939, 451 § 5; sentence added at end, 1946, 525; same sentence revised, 1950, 747 § 1; 1951, 775. (See 1937, 409 §§ 5-7; 1950, 747 § 2.)

SECT. 65B added, 1941, 689 § 1 (providing pensions for special justices of district courts); revised, 1943, 398. (See 1941, 689 § 2.)

SECT. 66, paragraph added at end, 1934, 285 § 4; amended, 1937, 102 § 4.

SECT. 68 revised, 1943, 545 § 1; 1945, 322.

SECTS. 68A-68C added, 1939, 503 § 3 (relative to the retirement of members of the state police). (See 1939, 503 § 5.)

SECT. 68C revised, 1943, 545 § 2.

SECTS. 68A-68C stricken out, 1945, 658 § 1. (See 1945, 658 § 11.)

SECT. 69 revised, 1946, 576 § 1.

SECT. 70, paragraph added at end, 1934, 285 § 5; amended, 1937, 102 § 5; section revised, 1937, 416 § 4; repealed, 1939, 441 § 4. (See 1937, 416 § 5; 1939, 441 §§ 3, 5.)

SECT. 75, paragraph added at end, 1934, 285 § 6; amended, 1937, 102 § 6; section revised, 1938, 323 § 1.

SECT. 76 revised, 1938, 323 § 2.

SECT. 77, paragraph (a) revised, 1936, 290 § 1; 1939, 243; paragraph (b) amended, 1945, 483 § 3A; paragraph (c) added at end, 1936, 290 § 2; amended, 1945, 483 § 3B. (Affected, 1937, 102 § 7, 283.) (See 1948, 515.)

SECT. 78 revised, 1939, 361 § 1; amended, 1945, 483 § 4. (Affected, 1937, 102 § 7, 283; 1939, 361 § 2.)

SECT. 78A added, 1934, 285 § 7 (providing for the ultimate abolition of non-contributory pensions under certain provisions of general law for laborers); amended, 1937, 102 § 7; revised, 1937, 283 § 1. (See 1937, 283 § 2.)

SECTS. 80-85. See 1949, 636.

SECT. 80, paragraph added at end, 1934, 285 § 8; section amended, 1936, 439 § 1; last paragraph amended, 1937, 102 § 8; section amended, 1945, 483 § 5.

SECT. 81 amended, 1933, 103; 1938, 277 § 1. (See 1938, 277 § 3.)

SECTS. 81A and 81B added, 1946, 576 § 2 (additional provisions for the retirement of members of fire departments in certain cities). (See 1946, 576 § 8.)

SECT. 83 amended, 1936, 439 § 2; 1938, 277 § 2; last sentence of first paragraph revised, 1939, 264 § 1; section amended, 1945, 483 § 6. (See 1938, 277 § 3; 1939, 264 § 2.)

SECT. 83A added, 1946, 576 § 3 (additional provisions for the retirement of members of police departments in certain cities). (See 1946, 576 § 8.)

SECT. 84 amended, 1945, 483 § 7.

SECT. 85, first sentence amended, 1945, 483 § 8; second sentence revised, 1936, 439 § 3.

SECT. 85A revised, 1935, 31 § 1; amended, 1945, 483 § 9; revised, 1946, 576 § 4. (See 1935, 31 § 2.)

SECT. 85B added, 1932, 253 (regulating the retirement and pensioning of certain members of the police forces of park boards of cities and towns); amended, 1945, 483 § 10.

SECT. 85C added, 1934, 285 § 9 (providing for the ultimate abolition of non-contributory pensions under certain provisions of general law for policemen and firemen); amended, 1937, 102 § 9.

SECT. 85D added, 1937, 220 (relative to the retirement of certain call members of fire departments in certain towns); amended, 1945, 483 § 11; revised, 1946, 576 § 5.

SECT. 85E added, 1946, 576 § 6 (additional provisions for the retirement of members of police and fire departments in certain towns). (See 1946, 576 § 8.)

SECT. 85F added, 1946, 576 § 6 (relative to the retirement for accidental or ordinary disability of members of police and fire departments in certain cities and towns); first sentence revised, 1952, 431 § 1.

SECT. 85G added, 1948, 483 (relative to the retirement of certain police officers and firemen of certain cities and towns).

SECT. 85H added, 1952, 431 § 2 (providing for retirement of certain disabled call firemen and policemen injured in line of duty); revised, 1954, 633.

SECT. 85I added, 1954, 268 (relative to creditable service in the retirement of certain police officers and fire fighters in certain cities and towns).

SECT. 86 revised, 1946, 576 § 7; 1949, 562; repealed, 1950, 395.

SECT. 89 revised, 1932, 276; amended, 1933, 340 § 1; 1934, 343; revised, 1935, 466; amended, 1936, 326; first paragraph amended, 1943, 366; first sentence amended, 1945, 641; first paragraph revised, 1945, 696; 1952, 431 § 3; third paragraph amended, 1947, 96; paragraph added at end, 1949, 503. (See 1933, 340 § 2.)

SECT. 89A added, 1948, 552 (increasing annuities to dependents of certain public employees killed or who died from injuries received or hazards undergone in the performance of duty); first paragraph amended, 1950, 757; third sentence amended, 1951, 147 § 1; fourth sentence revised, 1952, 431 § 4; last sentence revised, 1949, 423 § 1; last paragraph revised, 1949, 522. (See 1949, 423 § 2; 1951, 147 § 2.)

SECT. 90 revised, 1936, 439 § 4.

SECT. 90A added, 1943, 452 § 1 (authorizing certain cities and towns to increase the retirement allowances of certain former employees retired on account of accidental disability). (See 1943, 452 § 2.)

SECT. 91 revised, 1938, 439 § 5; amended, 1941, 670 § 24; first sentence amended, 1947, 462; revised, 1948, 15 § 2; amended, 1949, 511; 1950, 656; revised, 1951, 417; sentence added at end, 1947, 394; same sentence revised, 1950, 264; 1954, 343, 549. (See 1938, 439 § 7; 1941, 670 § 26.)

SECT. 92 amended, 1953, 509 § 2.

SECT. 94 added, 1950, 551 (presumption that hypertension or heart disease was suffered in line of duty in certain cases relative to retirement for accidental disability); revised, 1951, 594.

SECTS. 95-97 added, 1953, 387 (authorizing cities and towns to grant or increase retirement allowances, pensions or annuities to certain employees or their survivors).

Chapter 33. — Militia.

Act establishing a special military reservation commission, and authorizing the acquisition by the commonwealth for military purposes of certain properties in Sandwich, Bourne, Falmouth and Mashpee, 1935, 196; powers and duties of the commission defined, 1936, 344 §§ 1, 2; reservation enlarged, 1941, 5. (See 1938, 331.)

Chapter stricken out and new chapter 33 inserted, 1939, 425 § 1. (See 1939, 425 § 2.)

Chapter stricken out and new chapter 33 inserted, 1954, 590 § 1. (See 1954, 590 § 2.)

For prior changes see Tables of Changes contained in Acts and Resolves of 1952 and 1953.

Chapter 34. — Counties and County Commissioners.

SECT. 1 revised, 1933, 278 § 2.

SECT. 4 amended, 1935, 257 § 1; revised, 1939, 31 § 1. (See 1935, 257 § 12.)

SECT. 5, schedule revised, 1943, 102 § 1; 1949, 193 § 1, 767 § 1; 1951, 743 § 3. (See 1943, 102 § 2; 1949, 193 § 2, 767 § 2; 1951, 743 §§ 4-6.)

SECT. 7 amended, 1935, 257 § 2; last sentence stricken out, 1939, 31 § 2. (See 1935, 257 § 12.)

SECT. 12 revised, 1935, 257 § 3. (See 1935, 257 § 12.)

SECT. 14, last sentence amended, 1947, 58.

SECT. 16 revised, 1947, 449 § 1. (See 1947, 449 § 7.)

SECT. 17 revised, 1932, 74; third sentence stricken out and two sentences inserted, 1949, 797; sentence inserted before last sentence, 1949, 481 § 3; affected, 1939, 452 § 7; section revised, 1951, 479.

SECT. 19 amended, 1935, 257 § 4. (See 1935, 257 § 12.)

SECT. 23 added, 1932, 297 (authorizing counties to receive certain gifts); revised, 1950, 162 § 2; second sentence revised, 1954, 126 § 2.)

Chapter 35. — County Treasurers, State Supervision of County Accounts and County Finances.

For legislation enabling counties to secure the benefits provided by the federal government to assist them in public works projects see, 1945, 74; 1947, 526. [For prior legislation, see 1933, 366; 1934, 21; 1935, 404; 1936, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

Provisions relative to travel allowance of county employees using certain cars on official business, 1933, 322 § 4; 1939, 452 § 2; 1941, 528 § 3; 1943, 465 § 3; 1945, 550 § 3; 1946, 348 § 3.

Provisions relative to expenses incurred for meals by county employees, 1939, 452 § 3; 1941, 528 § 2; 1943, 465 § 2; 1945, 550 § 2; 1946, 348 § 2.

For legislation increasing the salaries of justices, clerks and probation officers of district courts, probation officers of the superior court, trial justices and county commissioners, see 1946, 348 § 4.

SECT. 2 revised, 1945, 289.

SECT. 3 revised, 1932, 56; sentence added at end, 1939, 109 § 2.

SECT. 11 amended, 1943, 65; revised, 1950, 659 § 1.

SECT. 19A added, 1945, 635 § 2 (providing for advances of their vacation pay to officers and employees of counties).

SECT. 19B added, 1953, 436 § 1 (relative to the payment of salaries, wages or other sums owing by cities and towns upon the death of their officers and employees); revised, 1954, 562 § 2. (See 1953, 436 § 7.)

SECT. 20 revised, 1950, 659 § 2.

SECT. 21 amended, 1937, 64 § 2.

SECT. 22 revised, 1948, 153; 1952, 87.

SECT. 24 revised, 1951, 530 § 2.

SECT. 25 amended, 1933, 175 § 1.

SECT. 27 amended, 1933, 175 § 2.

SECT. 28 amended, 1933, 318 § 2; 1934, 291 § 2; revised, 1939, 501 § 1; 1945, 158 § 1; first sentence revised, 1952, 80; 1953, 33; two sentences inserted after first sentence, 1949, 481 § 1; next to last sentence amended, 1950, 543 § 4; 1952, 516; 1953, 70. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 28A added, 1943, 414 § 2 (establishing a budget system for county tuberculosis hospitals); amended, 1945, 158 § 7; revised, 1945, 398 § 3. (See 1945, 398 §§ 4, 5.)

SECT. 29 revised, 1939, 501 § 2; amended, 1945, 158 § 2.

SECT. 30 revised, 1939, 501 § 3; sentence added at end, 1943, 39; section revised, 1945, 158 § 3.

SECT. 34 revised, 1937, 36; amended, 1939, 501 § 4; 1945, 158 § 4; 1948, 591 § 3. (See 1948, 591 §§ 4-7.)

SECT. 34A added, 1947, 201 (relative to agreements entered into by county commissioners for highway work in anticipation of appropriations).

SECT. 36A amended, 1939, 501 § 5; revised, 1943, 80; first sentence amended, 1945, 158 § 5.

SECT. 37 amended, 1933, 28.

SECT. 37A amended, 1933, 29; sentence inserted before last sentence, 1952, 66.

SECT. 38 amended, 1953, 75.

SECTS. 39A-39F added, 1949, 488 (relative to the furnishing and certification of county notes by the director of accounts).

SECT. 40 amended, 1936, 23 § 1.

SECT. 43A revised, 1939, 214 § 1.

SECT. 43B added, 1939, 214 § 2 (relative to the effect of the filing of annual fidelity bonds by county officers and employees).

SECT. 44 amended, 1949, 481 § 2.

SECT. 45 amended, 1953, 319 § 5. (See 1953, 319 §§ 39, 40.)

SECT. 46 revised, 1953, 654 § 2.

SECT. 48, fourth sentence revised, 1947, 102 § 1; last sentence of first paragraph revised, 1949, 538; paragraph added at end, 1947, 102 § 2.

SECT. 49 amended, 1935, 182 § 1; 1938, 347 § 1; 1939, 165 § 1; 1941, 447 § 1; 1943, 136 § 1; 1945, 486 § 2; 1946, 262 § 1; revised, 1946, 512 § 1; amended, 1947, 290 § 1; first sentence amended, 1947, 400 § 1; revised, 1947, 469 § 1; amended, 1948, 183 § 1, 664 § 1; revised, 1949, 774 § 1; amended, 1951, 611 § 2. (See 1935, 182 § 6; 1938, 347 § 3; 1939, 165 § 3; 1941, 447 §§ 4, 5; 1943, 136 § 3; 1946, 262 §§ 4, 5; 512 § 3; 1947, 400 §§ 3, 4; 1949, 774 § 5.)

SECT. 51 amended, 1938, 73 § 2; paragraph added at end, 1948, 345.

SECTS. 51A and 51B added, 1948, 591 § 1 (establishing a salary schedule for certain officers and employees of counties, except Suffolk, and providing for certain temporary cost-of-living adjustments). (See 1948, 591 §§ 4-7; 1949, 782 §§ 2, 4, 5, 6.)

SECT. 51B, salary schedule revised, 1949, 782 § 1; 1951, 743 §§ 1, 2; 1954, 566 § 1; paragraph (2) revised, 1954, 566 § 2; paragraph (7) revised, 1949, 782 § 3. (See 1949, 782 §§ 2, 4, 5, 6; 1951, 743 §§ 4-6; 1954, 566 §§ 3, 4.)

SECT. 52, second paragraph revised, 1938, 73 § 1.

SECT. 54 revised, 1948, 591 § 2. (See 1948, 591 §§ 4-7.)

SECT. 55 amended, 1949, 774 § 6.

Chapter 36. — Registers of Deeds.

SECT. 3 revised, 1937, 219 § 1; 1939, 214 § 3.

SECT. 4 amended, 1947, 352 § 2.

SECT. 5 revised, 1947, 352 § 1.

SECT. 11 revised, 1947, 449 § 2. (See 1947, 449 § 7.)

SECT. 13A amended, 1951, 191.

SECT. 15 revised, 1949, 395 § 1. (See 1949, 395 § 3; 1950, 182, 350.)

SECT. 18A added, 1947, 256 § 2 (authorizing registers and assistant registers to print or type names of persons on filed instruments if not clearly legible).

SECT. 24, sentence added at end, 1952, 245.

SECT. 24A added, 1941, 89 (authorizing the recording of certified copies of petitions, decrees and orders filed or made pursuant to the federal bankruptcy laws and thereby giving effect to certain provisions of said laws).

SECT. 24B added, 1945, 569 § 1 (relative to the furnishing of abstract cards and photostatic copies of recorded instruments in the Norfolk county registry of deeds and Norfolk registry district to the assessors of municipalities of said county); first paragraph revised, 1949, 189; section revised, 1950, 539 § 1.

SECT. 28 amended, 1952, 250 § 1. (See 1952, 250 § 3.)

SECT. 31 repealed, 1952, 250 § 2. (See 1952, 250 § 3.)

SECT. 33, paragraph added at end, 1948, 664 § 2; revised, 1952, 543.

Chapter 37. — Sheriffs.

SECT. 2 revised, 1937, 219 § 2.

SECT. 17 amended, 1945, 63; 1946, 121.

SECT. 21 revised, 1943, 159 § 1. (See 1943, 159 § 2.)

SECT. 22 amended, 1932, 180 § 5.

SECT. 23 amended, 1936, 31 § 2; repealed, 1937, 148.

Chapter 38. — Medical Examiners.

SECT. 1, paragraph in lines 70-76 amended, 1939, 260; 1947, 69 § 1; section amended, 1939, 451 § 6; paragraph added at end, 1952, 44.

SECT. 2, last sentence revised, 1945, 632 § 1.

SECT. 2A added, 1943, 153 § 1 (authorizing associate medical examiners in Barnstable County to perform the duties of medical examiner thereof in certain cases); repealed, 1945, 632 § 2. (See 1943, 153 § 2.)

SECT. 3 revised, 1939, 214 § 4.

SECT. 5, first three sentences revised, 1947, 579; third sentence amended, 1949, 510; last sentence revised, 1945, 632 § 3.

SECT. 6 amended, 1939, 475; revised, 1945, 632 § 4.

SECT. 7 amended, 1941, 366; revised, 1945, 632 § 5; amended, 1953, 319 § 6; last sentence revised, 1950, 143. (See 1953, 319 §§ 39, 40.)

SECT. 8 revised, 1932, 118 § 1; amended, 1939, 30 § 1. (See 1939, 30 § 2.)

SECT. 9 amended, 1953, 319 § 7. (See 1953, 319 §§ 39, 40.)

SECT. 11 amended, 1941, 499.

SECT. 18 revised, 1953, 320.

SECT. 19 revised, 1945, 632 § 6.

Chapter 39. — Municipal Government.

SECT. 6A added, 1952, 259 § 1 (relative to salaries of certain mayors, city councillors and aldermen). (See 1952, 259 § 4.)

SECT. 8A added, 1950, 132 § 1 (relative to the removal of certain officers of cities by the city council). (See 1950, 132 § 2.)

SECT. 10 amended, 1935, 403 § 1; 1939, 182; sentence inserted after third sentence, 1949, 152 § 1; fifth and sixth sentences revised, 1954, 32. (See 1935, 403 § 2.)

SECT. 14, first and second paragraphs revised, 1943, 453 §§ 1 and 2, respectively; paragraph added at end, 1949, 152 § 2.

SECT. 16, first paragraph revised, 1950, 56.

SECT. 19 repealed, 1934, 39 § 1.

SECT. 20 amended, 1934, 39 § 2.

SECT. 23 amended, 1934, 39 § 3.

Chapter 40. — Powers and Duties of Cities and Towns.

For temporary legislation relative to the appointment of veterans to civil service employments under the apprentice training provisions of the G. I. Bill of Rights, so called, see 1946, 586; 1947, 673; 1948, 392.

For temporary legislation relative to the emergency housing commission and to local boards of appeals, see 1946, 592; 1947, 609; 1948, 567.

SECT. 4, third paragraph revised, 1932, 271 § 6; section amended, 1941, 351 § 3; 1951, 798 § 1; paragraph added at end, 1946, 358 § 1; 1950, 521; same paragraph amended, 1954, 33; paragraph added at end, 1951, 798 § 2. (See 1932, 271 § 7; 1951, 798 § 8.)

SECT. 4A added, 1945, 438 (authorizing cities and towns and certain districts to make agreements relative to the performance of certain public services).

SECT. 4B added, 1951, 25 § 3 (relative to advertising for proposals for certain contracts of towns); sentence added at end, 1951, 678.

SECT. 5, clause (1) amended, 1933, 318 § 3 (see 1933, 318 § 9); 1935, 106; revised, 1935, 179; amended, 1951, 798 § 3 (see 1951, 798 § 8); amended, 1939, 19; 1945, 391 § 2; 1948, 174; 1950, 157; 1946, 358 § 2; 1953, 149; revised, 1953, 209; clause (2) amended, 1936, 390; 1950, 478; clause (5A) added, 1938, 172 § 1 (authorizing appropriations to establish a water supply); clause (11) revised, 1946, 358 § 3; 526; clause (12) amended, 1932, 114 § 3; 1933, 153 § 2, 245 § 2; revised, 1936, 132 § 1, 163; amended, 1941, 217 § 2; 1943, 99; 1946, 409 § 2; 1947, 144; re-

vised, 1947, 468 § 2; amended, 1948, 445 § 1; 1949, 118 § 2; revised, 1950, 27 § 2; 1954, 627 § 16; amended, 1950, 354 § 2, 492 § 2; 1951, 718; clause (16A) added, 1946, 358 § 4 (authorizing appropriations for the employment of legal counsel for general purposes); clause (20) amended, 1946, 358 § 5; clause (23) revised, 1948, 660 § 24 (see 1948, 660 § 26); amended, 1949, 761 § 11; clause (25A) added, 1946, 358 § 6 (authorizing appropriations for the maintenance and supervision of beaches and swimming pools for recreation and physical exercise); revised, 1948, 89; clause (26) amended, 1946, 358 § 7; clause (27) revised, 1946, 358 § 8; clause (28) revised, 1936, 211 § 5 (see 1936, 311 § 7); amended, 1947, 340 § 5; revised, 1953, 674 § 9; clause (29) amended, 1953, 535 § 1; clause (33) revised, 1946, 358 § 9; clause (34) amended, 1951, 149; clause (36A) added, 1949, 163 (authorizing appropriations for suppression and eradication of ragweed); 1950, 141; clause (37) revised, 1943, 177 § 1 (see 1943, 177 § 2; 1947, 635); clause (38) added, 1934, 154 § 1 (authorizing appropriations for protection of interests in real estate held under tax title or taking); clause (39) added, 1935, 28 (authorizing appropriations for the purpose of co-operating with the federal government in certain unemployment relief and other projects); clause (40) added, 1937, 185 (authorizing appropriations for eyeglasses for needy school children); clause (40A) added, 1947, 525 (authorizing appropriations for payment of expenses incurred by or in behalf of certain injured school children); clause (40B) added, 1952, 247 § 1 (authorizing appropriations for payment of certain expenses incurred for injuries sustained by school pupils in shop or laboratory work); clause (41) added, 1938, 142 § 1 (authorizing cities and towns to appropriate money for stocking inland waters herein with fish and for liberating game therein); amended, 1941, 599 § 4; 1950, 101; clause (42) added, 1951, 113 (allowing the granting of token awards by a playground or recreation commission); clause (43) added, 1952, 118 (allowing the granting of awards to municipal employees for suggestions relative to the improvement of municipal services); clause (44) added, 1952, 239 (authorizing appropriations for the payment of premiums for group life insurance for permanent employees); clause (45) added, 1953, 576 § 2 (authorizing appropriations for erecting and maintaining public bath houses in public beach districts); clause (46) added, 1954, 149 (authorizing appropriations for certain celebrations); clause (47) added, 1954, 297 § 2 (authorizing appropriations for the establishment of business and industrial commissions). (See 1938, 142 § 2; 1954, 627 §§ 65, 67.)

SECT. 5A added, 1936, 40 (providing for the establishment of reserve funds for cities); amended, 1937, 34; 1949, 135.

SECT. 5B added, 1945, 124 (authorizing cities and towns to appropriate money for a stabilization fund).

SECTS. 6C and 6D added, 1943, 225 (relative to the removal by cities and towns of snow and ice from private ways therein open to public use).

SECT. 6E added, 1950, 538 (relative to the repair by cities and towns of private ways therein open to public use); amended, 1951, 299.

SECT. 6F added, 1953, 386 § 1 (further regulating the repair by cities and towns of private ways therein open to public use).

SECT. 8A added, 1954, 297 § 1 (authorizing cities and towns to establish commissions to promote business and industry). (See 1954, 511).

SECT. 9 amended, 1933, 245 § 3; 1935, 305; 1936, 271; first paragraph revised, 1946, 51; 209 § 2; 409 § 3; 1947, 468 § 3; 671; amended,

1949, 118 § 3; revised, 1949, 343 § 1; paragraph added at end, 1937, 255; section revised, 1949, 563 § 1; amended, 1950, 303; 1952, 115, 443; 1953, 469, 175. (See 1949, 343 § 2.)

SECT. 9A repealed, 1949, 563 § 2.

SECT. 11 amended, 1941, 490 § 9; 1953, 535 § 2; 1948, 355.

SECT. 11A added, 1953, 576 § 3 (relative to the forming of public beach districts by cities).

SECT. 12A repealed, 1941, 598 § 5.

SECTS. 12B–12G added, 1953, 576 § 1 (authorizing cities and towns to form public beach districts.)

SECT. 13, paragraph added at end, 1941, 130.

SECT. 14 revised, 1933, 283 § 1.

SECT. 15A added, 1951, 798 § 4 (authorizing cities and towns to transfer certain land in certain cases); revised, 1954, 105. (See 1951, 798 § 8.)

SECT. 17 amended, 1933, 254 § 2. (See 1933, 254 § 66.)

SECT. 21 amended, 1953, 319 § 8; clause (16) added, 1941, 346 § 1; clause (17) added, 1949, 98; amended, 1951, 352; clause (18) added, 1952, 594; clause (19) added, 1953, 402; clause (20) added, 1954, 213. (See 1953, 319 §§ 39, 40.)

SECT. 21A added, 1951, 798 § 5 (authorizing cities and towns to establish work weeks and hours for certain municipal employees). (See 1951, 798 § 8.)

SECT. 22, paragraph added at end, 1949, 644 § 1.

SECT. 22A added, 1947, 442 § 1 (authorizing the installation and operation of parking meters in cities and towns); sentence added at end, 1949, 644 § 2; sentence added at end, 1952, 592.

SECT. 22B added, 1949, 776 (authorizing the use of receipts from parking meters for the acquisition and maintenance of off-street parking areas and facilities); amended, 1953, 92.

SECT. 22C added, 1951, 326 (relative to parking meters in off-street parking lots).

SECTS. 25–33. For special zoning provisions for Boston, see 1924, 488 and amendments prior to 1932; 1932, 143; 1933, 204; 1943, 210; 1936, 240; 1941, 373; 1946, 198.

SECTS. 25–30A stricken out, and new sections 25–30A (municipal zoning laws) inserted, 1933, 269 § 1. (See 1933, 269 § 4.)

SECT. 25, first paragraph amended, 1950, 325 § 1.

SECT. 26 amended, 1952, 438.

SECT. 27 revised, 1941, 320.

SECT. 27A added, 1938, 133 § 1 (to prevent multiplicity of proposals for the same change in zoning ordinances or by-laws).

SECT. 28 revised, 1941, 176.

SECT. 30, first paragraph (as appearing in 1933, 269 § 1) amended, 1945, 167; second paragraph (as so appearing) amended, 1951, 205; paragraph in lines 54–60 (as appearing in 1933, 269 § 1) stricken out and two paragraphs added, 1941, 198 § 1; paragraph in lines 61–70 (as so appearing) amended, 1935, 388 § 1; clause (1) in lines 72–76 (as so appearing) revised, 1941, 198 § 2; paragraph in lines 80–90 (as so appearing) amended, 1935, 388 § 2; next to last paragraph amended, 1953, 102. (See 1941, 198 § 3.)

SECTS. 25–30. Temporarily affected, 1951, 307.

SECT. 30A stricken out and reinserted as section 30B and new sec-

tion 30A inserted, 1938, 133 § 2 (to prevent multiplicity of proposals for the same change in the application of zoning ordinances or by-laws).

SECT. 30B, sentence added at end, 1950, 325 § 2.

SECTS. 25-30B stricken out, 1954, 368 § 1. (See 1954, 368 § 3.)

SECT. 32 revised, 1933, 185 § 1; amended, 1941, 520 § 1; revised, 1952, 337. (See 1933, 185 § 2; 1941, 520 § 2.)

SECT. 38 revised, 1938, 172 § 2; paragraph added at end, 1941, 465 § 1.

SECTS. 39A-39G added, 1938, 172 § 3 (authorizing the establishment and maintenance of water supply and distributing systems).

SECT. 39A revised, 1941, 465 § 2.

SECT. 39H added, 1943, 125 (authorizing cities, towns and districts, through their water departments, and water companies, to aid similar municipal and other corporations relative to their water supply).

SECT. 40 revised, 1933, 314; 1945, 606.

SECT. 41A added, 1949, 793 (authorizing certain governmental agencies to restrain the use of water during an emergency).

SECT. 42A revised, 1932, 197 § 2; amended, 1936, 42 § 1; revised, 1938, 415 § 1; amended, 1941, 380 § 1; first three sentences stricken out and two sentences inserted, 1954, 487 § 1. (See 1932, 197 § 3; 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42B amended, 1935, 56 § 1; revised, 1936, 42 § 2; 1938, 415 § 2; revised, 1941, 380 § 2; sentence inserted after fourth sentence, 1947, 132; section revised, 1954, 487 § 2. (See 1935, 56 § 2; 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42C amended, 1935, 248 § 1; revised, 1938, 415 § 3; 1941, 380 § 3; 1954, 487 § 2. (See 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42D, last sentence revised, 1935, 248 § 2; section revised, 1938, 415 § 4; 1941, 380 § 4; second paragraph amended, 1950, 80; section revised, 1954, 487 § 2. (See 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42E, last sentence amended, 1932, 180 § 6; same sentence revised, 1939, 451 § 7; section amended, 1941, 380 § 5. Affected, 1938, 415 § 7. (See 1941, 380 § 7.)

SECT. 42F affected, 1938, 415 § 7; 1941, 380 § 7.

SECT. 43A (relative to pipe lines for conveying petroleum and its products and by-products) added under the heading "PETROLEUM AND ITS PRODUCTS AND BY-PRODUCTS", 1941, 678 § 2.

SECT. 51 revised, 1937, 196; two sentences added at end, 1945, 340; section revised, 1946, 584 § 3. (See 1946, 584 § 22.)

Chapter 40A. — Zoning Regulations.

New chapter inserted, 1954, 368 § 2. (See 1954, 368 § 3.)

SECT. 14, last sentence revised, 1954, 551 § 1. (See 1954, 551 § 2.)

Chapter 41. — Officers and Employees of Cities, Towns and Districts.

SECT. 1, first paragraph revised, 1943, 453 § 3; paragraph in line 10 revised, 1934, 155 § 1; paragraph in line 11 revised, 1953, 267 § 1; paragraph in lines 15, 16 revised, 1939, 129; paragraph in line 25 revised, 1939, 3; paragraph added at end, 1938, 341 § 2.

SECT. 4A, sentence added at end, 1951, 6.

SECT. 5 amended, 1934, 39 § 4.

SECT. 10 revised, 1954, 201.

SECT. 11 amended, 1938, 341 § 3.

SECT. 13 amended, 1936, 18; 1937, 143 § 1.

SECT. 13A added, 1932, 289 § 5 (provisions relative to bonds of city clerks). [For prior legislation, see G. L. chapter 140 § 148, repealed by 1932, 289 § 6.]

SECT. 13B added, 1954, 139 (relative to the renewal of licenses and permits in certain cities).

SECT. 15A revised, 1949, 136.

SECT. 17 revised, 1954, 83.

SECTS. 18A and 18B added, 1948, 56 (providing that the records of city clerks may be attested by the volume and that a facsimile of the signature of the city clerk shall be valid in certain cases).

SECT. 19, last sentence revised, 1938, 66; same sentence amended, 1945, 245; sentence added at end, 1947, 391.

SECT. 19A added, 1933, 70 § 1 (requiring the filing with the state secretary of certificates of appointment or election of clerks or assistant or temporary clerks of cities or towns, and granting authority to said secretary to authenticate attestations of any such officer). (See 1933, 70 § 2.)

SECTS. 19B-19E added, 1950, 388 (relative to the tenure of office of city and town clerks).

SECT. 21, first paragraph revised, 1953, 101 § 2; last paragraph revised, 1934, 155 § 2. (See 1934, 155 § 4.)

SECT. 24, paragraph added at end, 1945, 136 § 1; section revised, 1951 364; 1953, 267 § 2. (See 1945, 136 § 2.)

SECT. 24A repealed, 1937, 129 § 1.

SECT. 25 revised, 1937, 129 § 2.

SECT. 25A revised, 1937, 129 § 3; first sentence revised, 1950, 151; third sentence revised, 1951, 77.

SECT. 26 revised, 1937, 129 § 4.

SECT. 26A added, 1935, 149 (relative to employment of counsel by boards of assessors in certain cases); revised, 1951, 215 § 2.

SECT. 27 revised, 1936, 118 § 1. (See 1936, 118 § 3.)

SECT. 28 amended, 1939, 342 § 2.

SECT. 30A added, 1946, 211 (relative to the effect of a vacancy in the office of assessor).

SECT. 32, sentence added at end, 1950, 793 § 3.

SECT. 33, two sentences added at end, 1950, 793 § 4.

SECT. 35 revised, 1937, 143 § 2; sentence added at end, 1939, 109 § 1.

SECT. 37 revised, 1933, 82 § 2; amended, 1934, 259 § 2.

SECT. 38A amended, 1936, 201; revised, 1941, 211; first sentence revised, 1948, 197.

SECT. 39A added, 1939, 89 (providing for the appointment of assistant treasurers of cities and towns); last sentence revised, 1953, 55.

SECT. 39B added, 1943, 284 (authorizing the suspension and removal of city and town collectors and the appointment of temporary collectors under certain circumstances); first sentence amended, 1951, 256.

SECT. 40 revised, 1937, 143 § 3; sentence inserted before last sentence, 1951, 83.

SECT. 43A added, 1939, 88 (requiring municipalities to indemnify and protect collectors of taxes in the performance of their duties in certain cases); revised, 1941, 99.

SECT. 45A added, 1952, 79 (providing that the selectmen shall be the commissioners of trust funds in certain small towns).

SECT. 49A added, 1948, 211 (providing for the appointment of an assistant by auditors, accountants, and officers having similar duties, of cities and towns).

SECT. 53, last sentence revised, 1948, 84.

SECT. 54A amended, 1936, 62.

SECT. 56 revised, 1950, 55.

SECT. 59 amended, 1936, 94.

SECT. 61A revised, 1937, 143 § 4.

SECT. 66 revised, 1934, 155 § 3.

SECTS. 69A and 69B added, 1938, 172 § 4 (relative to the establishment and powers and duties of boards of water commissioners in certain towns).

SECTS. 69C-69F added, 1953, 101 § 1 (relative to the establishment in towns of a department of public works exercising the powers of certain other departments and town officers).

SECT. 69E amended, 1954, 45.

SECT. 70, paragraph added at end, 1936, 211 § 1; amended, 1947, 340 § 1. (See 1936, 211 § 7.)

SECT. 71 amended, 1943, 266; 1953, 409 § 6.

SECT. 72 revised, 1936, 211 § 2; first sentence amended, 1947, 340 § 2; 1953, 674 § 1. (See 1936, 211 § 7.)

SECT. 73, paragraph added at end, 1936, 211 § 3; amended, 1947, 340 § 3; two sentences added at end, 1953, 674 § 8. (See 1936, 211 § 7.)

SECTS. 81A-81J added, under caption "IMPROVED METHOD OF MUNICIPAL PLANNING", 1936, 211 § 4. (See 1936, 211 § 7.)

SECT. 81A, last paragraph revised, 1938, 113.

SECTS. 81A-81J stricken out and sections 81A to 81Y inserted, 1947, 340 § 4.

SECT. 81B amended and paragraph added at end, 1953, 674 § 2.

SECT. 81C amended, 1953, 409 § 7.

SECT. 81D, sentence inserted after second sentence, 1954, 643 § 1.

SECT. 81E, three paragraphs added at end, 1953, 674 § 3.

SECT. 81F, sentence added at end, 1953, 674 § 4.

SECT. 81G revised, 1953, 674 § 5.

SECT. 81J, first sentence amended and sentence inserted after third sentence, 1953, 674 § 6.

SECTS. 81K to 81Y stricken out and sections 81K to 81GG inserted, under caption "Subdivision Control", 1953, 674 § 7. (See 1953, 674 § 11.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

SECT. 86 amended, 1939, 261 § 5.

SECT. 87A added, 1954, 386 (providing for the appointment of certain employees of the registry of motor vehicles as weighers and measurers).

SECT. 91B added, 1933, 128 (further regulating the appointment of constables).

SECT. 96A added, 1938, 342 (disqualifying felons from appointment to the police forces or departments of cities, towns and districts).

SECT. 97A added, 1948, 540 (relative to the establishment of police departments in certain towns); revised, 1948, 595.

SECT. 98 amended, 1953, 319 § 9; third sentence revised, 1954, 162 § 1. (See 1953, 319 §§ 39, 40.)

SECT. 99 amended, 1932, 124; revised, 1951, 214.

SECT. 100, sentence added at end, 1933, 324 § 3; section amended, 1938, 298; revised, 1945, 670; second sentence revised, 1950, 337; sentence inserted after second sentence, 1950, 398; sentence inserted before last sentence, 1950, 550; last sentence revised, 1950, 412 § 1. (See 1950, 412 § 2.)

SECT. 100A amended, 1933, 318 § 4; 1934, 291 § 3; 1945, 391 § 1; 1949, 128. (See 1933, 318 §§ 8, 9; 1934, 291 § 6; 1945, 391 § 3.)

SECT. 100B added, 1953, 628 § 1 (providing for the indemnification by cities and towns of certain retired police officers and firefighters for certain hospital, medical and surgical expenses). (See 1953, 628 § 2.)

SECT. 105 amended, 1936, 132 § 2; sentence added at end, 1954, 627 § 17. (See 1954, 627 §§ 65, 67.)

SECT. 107, second sentence revised, 1953, 44.

SECT. 108 revised, 1947, 540 § 1.

SECT. 108A added, 1947, 540 § 2 (authorizing cities and towns to establish salary plans for certain employees thereof); revised, 1948, 351.

SECT. 108B added, 1949, 235 (providing for additional compensation and expenses for assessors and collectors in towns for assessing and collecting district taxes).

SECT. 108C added, 1954, 295 § 2 (relative to rules and regulations promulgated in connection with compensation plans for municipal officers and employees and municipal personnel administration).

SECT. 110, sentence added at end, 1950, 242.

SECT. 110A added, 1947, 265 (authorizing the closing of public offices in cities and towns on Saturdays).

SECT. 111 revised, 1932, 109; amended, 1936, 242; revised, 1937, 15; 1941, 368; fourth sentence stricken out and two sentences inserted, 1943, 280; first paragraph revised, 1946, 301; same paragraph stricken out and three paragraphs inserted, 1948, 330 § 1; same three paragraphs stricken out and one paragraph inserted, 1949, 475 § 1; same paragraph revised, 1951, 242 § 1. (See 1948, 330 § 2; 1951, 242 § 2.)

SECT. 111A amended, 1934, 107; revised, 1949, 172.

SECT. 111B added, 1945, 156 (providing sick leaves for laborers, workmen and mechanics regularly employed by certain cities and towns); amended, 1946, 187; sentence added at end, 1949, 686.

SECT. 111C added, 1945, 348 (authorizing attendance at funerals or memorial services of war veterans by certain municipal employees without loss of pay); revised, 1953, 179.

SECT. 111D added, 1949, 384 (relative to vacations without loss of pay for regular members of police and fire forces in certain cities and towns). See 1950, 36 § 1.

SECT. 111E added, 1949, 475 § 2 (providing for payment of compensation to certain municipal employees and their beneficiaries in lieu of vacations in certain cases); amended, 1953, 436 § 2; revised, 1954, 13.

SECT. 111F added, 1952, 419 (providing injured leave for certain incapacitated police officers and firefighters).

SECT. 111G added, 1952, 488 (relative to annual vacations for certain employees of certain cities and towns).

SECT. 111H added, 1953, 293 (relative to overtime service by police officers of cities and towns); revised, 1954, 573 § 1. (See 1954, 573 § 2.)

SECT. 111I added, 1953, 436 § 3 (relative to the payment of salaries, wages or other sums owing by cities and towns upon the death of their officers and employees); revised, 1954, 562 § 3. (See 1953, 436 § 7.)

SECT. 112 revised, 1954, 627 § 18. (See 1954, 627 §§ 65, 67.)

SECT. 112A added, 1947, 276 (regulating the separation from the service of certain cities and towns of certain war veterans holding unclassified offices or positions).

SECT. 119, two sentences added at end, 1950, 137; paragraph added at end, 1950, 779.

SECT. 120 added, 1949, 133 § 1 (establishing the financial year of fire, water, light and improvement districts). (See 1949, 133 § 2.)

SECT. 121 added, 1950, 211 (requiring the treasurer of fire, water, light and improvement districts to be bonded).

Chapter 42. — Boundaries of Cities and Towns.

Boundary line between Saugus and Wakefield (portion) established, 1933, 298; between Woburn and Reading (portion) established, 1934, 177; between Oak Bluffs and Tisbury (portion) established, 1935, 145; between Brewster and Orleans (portion) established, 1935, 356; between Middleton and Topsfield established, 1936, 96; between Foxborough and Walpole established, 1937, 140; between Edgartown and Oak Bluffs (portion) established, 1937, 265; between Arlington and Belmont (portion) established, 1938, 371; between Rochester and Wareham and between Marion and Wareham (portion) established, 1939, 279; between Fitchburg and Leominster (portion) established, 1941, 37, 698; between Bellingham and Franklin established, 1941, 641; between Chicopee and Springfield (portion) established, 1945, 274; between Brewster and Dennis and between Dennis and Harwich, 1945, 599; between Reading and Lynnfield (portion) established, 1947, 243; between Dennis and Harwich established, 1947, 372.

SECT. 1 revised, 1933, 278 § 3.

Chapter 43. — City Charters.

SECT. 1, definition of "Plan D" revised, 1948, 459 § 1; three paragraphs inserted after word "inclusive" in line 22, 1938, 378 § 1.

SECT. 5, paragraph added at end, 1938, 378 § 2; same paragraph revised, 1948, 459 § 2.

SECT. 7 amended, 1939, 451 § 8; revised, 1948, 459 § 3; paragraph added at end, 1954, 67.

SECT. 8, form of petition revised, 1938, 378 § 3; amended, 1948, 459 § 4.

SECT. 9 revised, 1941, 640 § 1; 1948, 459 § 5; 1954, 155. (See 1941, 640 § 7.)

SECT. 10, paragraph added at end, 1938, 378 § 4.

SECT. 11 revised, 1941, 640 § 2. (See 1941, 640 § 7.)

SECT. 15 amended, 1933, 313 § 7; last paragraph amended, 1938, 378 § 5; section revised, 1941, 640 § 3. (See 1941, 640 § 7.)

SECT. 17 revised, 1938, 378 § 6.

SECT. 17A added, 1952, 259 § 2 (relative to salaries of certain mayors, city councillors and city managers).

SECT. 18, paragraph numbered 4 inserted, 1938, 378 § 7; amended, 1949, 723 § 1.

SECT. 19 revised, 1938, 378 § 8; amended, 1948, 459 § 6.

SECT. 23 amended, 1935, 68 § 1.

SECT. 26, first paragraph revised, 1937, 224 § 1; amended, 1938, 378 § 9.

SECT. 28 amended, 1951, 25 § 1.

SECT. 29 revised, 1938, 378 § 10; first sentence revised, 1949, 723 § 2; amended, 1951, 25 § 2.

SECT. 30 revised, 1938, 378 § 11; first sentence revised, 1948, 459 § 7.

SECT. 31 amended, 1938, 378 § 12.

SECT. 32 amended, 1949, 318.

SECT. 36 revised, 1938, 378 § 13.

SECT. 42 amended, 1935, 68 § 2.

SECT. 44A amended, 1933, 313 § 8; last two sentences stricken out, and paragraph added at end, 1934, 30; first paragraph revised, 1938, 378 § 14; last sentence of first paragraph stricken out, 1941, 640 § 4. (See 1941, 640 § 7.)

SECT. 44C, first paragraph amended, 1937, 147; 1943, 229 § 1.

SECT. 44H amended, 1932, 180 § 7; 1941, 640 § 5. (See 1941, 640 § 7.)

SECT. 46 amended, 1939, 451 § 9.

SECT. 50A added, 1936, 135 (relative to the filling of vacancies in the city council in cities having a Plan A form of charter).

SECT. 51 repealed, 1952, 259 § 3.

SECT. 56 amended, 1937, 224 § 2.

SECT. 59A added, 1937, 224 § 3 (relative to the filling of vacancies in the city council in cities having a Plan B form of charter).

SECT. 62 repealed, 1952, 259 § 3.

SECT. 78 repealed, 1952, 259 § 3.

SECTS. 79-92 stricken out and new sections 79-92A (relative to Plan D form of charter) inserted, 1948, 459 § 8.

SECT. 87 repealed, 1952, 259 § 3.

SECTS. 93-116 added, under the heading "PLAN E. — GOVERNMENT BY A CITY COUNCIL INCLUDING A MAYOR ELECTED FROM ITS NUMBER, AND A CITY MANAGER, WITH ALL ELECTIVE BODIES ELECTED AT LARGE BY PROPORTIONAL REPRESENTATION", 1938, 378 § 15 (providing an additional optional standard form of city charter under which substantial control of the city government is vested in a city council elected at large by proportional representation, with a city manager appointed and removable at pleasure by the city council).

SECTS. 93-116 repealed in so far as they provide for election by proportional representation of city councils and school committees, 1949, 661 § 1; 1952, 281 § 1. (See 1949, 661 §§ 1A-3; 1952, 281 § 2; 1953, 118.)

SECT. 100 amended, 1941, 722 § 5.

SECT. 101 repealed, 1952, 259 § 3.

SECT. 102 amended, 1941, 722 § 6.

SECT. 103, first paragraph amended, 1950, 353.

SECT. 110, first paragraph amended, 1949, 181; form of petition amended, 1941, 722 § 7.

SECT. 114, last sentence revised, 1952, 78.

Chapter 43A. — Standard Form of Representative Town Meeting Government.

Act relative to Wellesley, 1932, 202; to Needham, 1932, 279; to Webster, 1933, 13; to South Hadley, 1933, 45; to Easthampton, 1933,

178; to Milford, 1933, 271; to Adams, 1935, 235; to Falmouth, 1935, 349; to Amherst, 1936, 10; to Amesbury, 1936, 39; to Braintree, 1936, 56; 1937, 17; to Natick, 1938, 2; to Palmer, 1939, 110; to Reading, 1943, 7; to Norwood, 1947, 541.

SECT. 3, first paragraph amended, 1937, 267 § 2.

SECT. 4, first paragraph amended, 1936, 128.

SECT. 6 revised, 1943, 1 § 1; 1943, 453 § 4; amended, 1945, 359; next to last sentence amended, 1947, 291. (See 1943, 1 § 2.)

SECT. 8, first sentence revised, 1943, 453 § 5.

Chapter 44. — Municipal Finance.

For temporary legislation establishing an emergency finance board in the department of the state treasurer, and providing for the borrowing of money by cities and towns against certain tax titles, see 1933, 49, 104; 1935, 221, 300, 456; 1936, 281; 1938, 57; 1939, 288, 496; 1941, 129; 1943, 413; 1945, 324; 1947, 206; 1949, 79.

For legislation enabling cities and towns to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74; 1947, 526; 1949, 327. [For prior legislation, see 1933, 366; 1934, 21; 1935, 213, 404; 1946, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

For emergency legislation authorizing cities and towns to make certain appropriations during the existing state of war, see 1943, 5 §§ 1, 6; 75 §§ 1, 2, 4, 5; 1946, 10. [For prior legislation, see 1941, 487; 1942, 4.]

For legislation authorizing the renewal by cities and towns of certain temporary revenue loans, see 1947, 108; 1949, 134.

For legislation relative to the collection of certain taxes and other charges due to the commonwealth, see 1943, 568; 1945, 325; 712; 1946, 615.

For legislation authorizing cities and towns to borrow, in the years 1935 to 1948, inclusive, on account of public welfare and veterans' benefits (and in certain of said years for additional specified purposes), see 1935, 188; 1936, 80; 1937, 107; 1938, 58; 1939, 72, 453; 1941, 92; 1943, 44; 1945, 73; 1946, 584 § 17; 1947, 611.

For legislation regulating the use of receipts from the sale by cities and towns of federal surplus commodity stamps, 1941, 65.

For legislation authorizing cities and towns to borrow for remodeling, reconstructing or making extraordinary repairs to public buildings, see 1948, 275.

SECT. 1, definition of "Revenue" revised, 1946, 358 § 10.

SECT. 2 revised, 1936, 224 § 4; amended, 1946, 358 § 11. (See 1936, 224 §§ 11, 12.)

SECT. 4 amended, 1934, 11 § 1; affected, 1934, 11 §§ 2, 3; amended, 1936, 16; 1946, 358 § 12; 1947, 298 § 2.

SECT. 4A added, 1935, 68 § 3 (temporary loans by cities in anticipation of revenue exempted from charter provisions relative to publication and referendum).

SECT. 5 amended, 1939, 37.

SECT. 5A amended, 1935, 68 § 4.

SECT. 5B added, 1943, 61 § 1 (relative to borrowing for liabilities incurred by districts prior to the annual appropriations).

SECT. 7 amended, 1936, 224 § 5; first paragraph amended, 1946, 358 § 13; 1947, 207 § 1; 1948, 275 § 3; revised, 1951, 54, 181 § 1; clause

3A added, 1947, 207 § 2; repealed, 1948, 275 § 4; clause (5) revised, 1947, 101; amended, 1951, 282 § 1; clause (6) amended, 1951, 282 § 2; clause (12) repealed, 1946, 358 § 14; clause (14) revised, 1953, 100; clause (15) added, 1948, 383; clause (16) added, 1951, 181 § 2; amended, 1952, 38. (See 1936, 224 §§ 11, 12.)

SECT. 8, clause (3) revised, 1938, 172 § 5; clause (5) revised, 1941, 83; amended, 1952, 123 § 1; clause (6) amended, 1952, 123 § 2; clause (9) amended, 1939, 457; 1947, 298 § 3; clause (13) added, 1946, 358 § 15; amended, 1947, 298 § 4; clause (14) added, 1954, 106. (See 1952, 123 § 3.)

SECT. 8A added, 1939, 108 § 1 (providing for submitting to the voters of certain cities the question of approving or disapproving orders authorizing the issue of bonds, notes or certificates of indebtedness for certain purposes). (See 1939, 108 § 2.)

SECT. 9 amended, 1941, 376; 1946, 384 § 1; first paragraph amended, 1950, 169; paragraph added at end, 1947, 298 § 5.

SECT. 10 amended, 1936, 224 § 6; 1939, 24 § 1; 1946, 329; second sentence revised, 1950, 51; section revised, 1952, 56. (See 1936, 224 §§ 11, 12.)

SECT. 11 amended, 1936, 224 § 7. (See 1936, 224 §§ 11, 12.)

SECT. 12 amended, 1936, 224 § 8; repealed, 1946, 358 § 16. (See 1936, 224 §§ 11, 12.)

SECT. 13 revised, 1946, 358 § 17; paragraph added at end, 1948, 5.

SECT. 13A added, 1943, 61 § 2 (relative to the incurring of liabilities by districts prior to the annual appropriations).

SECT. 16, last sentence stricken out, 1936, 224 § 10. (See 1936, 224 §§ 11, 12.)

SECT. 17 amended, 1946, 358 § 18.

SECT. 18 amended, 1946, 358 § 19.

SECT. 19 amended, 1946, 358 § 20.

SECT. 20 amended, 1946, 358 § 21; revised, 1947, 60; sentence added at end, 1949, 403.

SECT. 21 amended, 1946, 358 § 22.

SECT. 22 amended, 1936, 224 § 9. (See 1936, 224 §§ 11, 12.)

SECT. 26 amended, 1951, 265.

SECT. 28A added, 1951, 16 (making certain provisions of municipal finance laws applicable to regional school districts).

SECT. 29. As to tax limit of Boston, see 1932, 125; 1933, 159; 1934, 201; 1935, 284; 1936, 224.

SECT. 31 revised, 1946, 358 § 23; 1949, 138; sentence added at end, 1954, 46.

SECT. 31A added, 1941, 473 § 1 (relative to budgets in certain cities); amended, 1953, 654 § 3.

SECT. 31B added, 1950, 173 (relative to the liabilities which may be incurred by fire, water, light and improvement districts).

SECT. 32, paragraphs added at end, 1938, 175 § 1, 378 § 16; section revised, 1941, 473 § 2; subdivision (2) of first paragraph amended, 1953, 51; paragraph added at end, 1953, 79.

SECT. 33 revised, 1941, 473 § 3.

SECT. 33A stricken out and new sections 33A and 33B inserted, 1943, 62 (amending and clarifying the law relative to budgets in cities).

SECT. 33A revised, 1947, 298 § 1; sentence added at end, 1950, 370.

SECT. 33B, two sentences added at end, 1951, 798 § 6. (See 1951, 798 § 8.)

SECT. 34 revised, 1938, 170; paragraph added at end, 1941, 93.

SECT. 35 amended, 1941, 454; revised, 1951, 17 § 1.

SECT. 40 amended, 1939, 339; first sentence amended, 1945, 29 § 1; sentence inserted after first sentence, 1947, 298 § 6; section revised, 1948, 82; 1951, 17 § 2. (See 1945, 29 § 2; repealed by 1946, 109.)

SECT. 41 revised, 1946, 432 § 4.

SECT. 43, two sentences added at end, 1951, 276.

SECT. 46 amended, 1953, 654 § 4.

SECT. 46A added, 1932, 155 (making permanent certain provisions of law relative to investigations of municipal accounts and financial transactions by the director of accounts). [For prior temporary legislation, see 1926, 210; 1929, 335.]

SECT. 51 amended, 1934, 355; repealed, 1938, 458.

SECT. 54 amended, 1933, 200; 1946, 358 § 24; revised, 1948, 194 § 1; 1949, 243; amended, 1953, 83; 1954, 47.

SECT. 55, sentence added at end, 1948, 143 § 1; 1951, 59; section revised, 1953, 103.

SECT. 55A revised, 1948, 143 § 2, 194 § 2; 1950, 224; amended, 1954, 48.

SECT. 56A added, 1934, 229 § 1 (relative to the financial year of cities). (See 1934, 229 §§ 2, 3.)

SECT. 58 amended, 1951, 15.

SECT. 63 amended, 1946, 358 § 25.

SECT. 64 added, 1941, 179 (authorizing towns to appropriate money for the payment of certain unpaid bills of previous years).

SECT. 65 added, 1945, 635 § 3 (providing for advances of their vacation pay to officers and employees of cities and towns).

Chapter 45. — Public Parks, Playgrounds and the Public Domain.

SECT. 2 amended, 1941, 10 § 1.

SECT. 14 revised, 1949, 256.

SECT. 17A added, 1938, 220 (authorizing cities and towns to use certain ways therein for playground purposes); revised, 1953, 80.

SECT. 18 revised, 1954, 131.

Chapter 46. — Return and Registry of Births, Marriages and Deaths.

SECT. 1, third sentence of second paragraph revised, 1933, 280 § 1; fourth paragraph amended, 1941, 51; revised, 1954, 627 § 23. (See 1954, 627 §§ 65, 67.)

SECT. 1A added, 1939, 61 § 1 (further regulating the making and recording of certificates of birth of certain abandoned children and foundlings).

SECTS. 1B and 1C added, 1952, 72 (relative to filing evidence of certain births and deaths occurring without the commonwealth).

SECT. 2A added, 1933, 279 (regulating the impounding of birth records of children born out of wedlock); amended, 1937, 78 § 1; revised, 1939, 269 § 1; amended, 1954, 324.

SECT. 3, paragraph added at end, 1939, 326 § 1.

SECT. 4A added, 1941, 434 (providing for the verification of returns of births).

SECT. 6 revised, 1939, 61 § 2.

SECT. 7A added, 1950, 22 (requiring reports of births in airplanes).

SECT. 9 amended, 1936, 100; 1945, 113; sentence inserted after first sentence, 1954, 137.

SECT. 10 revised, 1954, 627 § 24. (See 1954, 627 §§ 65, 67.)

SECT. 12 amended, 1937, 78 § 2; revised, 1945, 439.

SECT. 13, paragraph in first to sixth lines amended, 1939, 61 § 3; second paragraph amended, 1933, 280 § 2; second paragraph stricken out and two new paragraphs inserted, 1938, 63; first paragraph so inserted revised, 1943, 72 § 2; paragraph in eighteenth and nineteenth lines, as appearing in Tercentenary Edition, amended, 1938, 97; revised, 1953, 261 § 1; fourth paragraph, as so appearing, amended, 1941, 50; same paragraph amended, 1945, 65; 1953, 261 § 2; paragraph added at end, 1939, 61 § 4; paragraph added at end, 1948, 550 § 2.

SECT. 13A added, 1945, 542 (providing for the recording of certain births upon the determination of facts relating thereto by a probate court).

SECT. 16 amended, 1941, 351 § 4.

SECT. 17 revised, 1932, 12; amended, 1939, 269 § 2.

SECT. 19 revised, 1943, 228 § 1; amended, 1945, 570 § 1; sentence added at end, 1950, 366. (See 1945, 570 § 2.) (See 1943, 228 § 2.)

SECT. 20 revised, 1941, 351 § 5.

SECT. 26 amended, 1939, 326 § 2; first sentence revised, 1947, 283.

Chapter 48. — Fires, Fire Departments and Fire Districts.

For legislation enabling districts to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74; 1947, 526. (For prior legislation, see 1933, 366; 1934, 21; 1935, 213, 404; 1936, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.)

For legislation authorizing districts to borrow, in the years 1935 to 1944, inclusive, on account of public welfare and soldiers' benefits (and in certain of said years for additional specified purposes), see 1935, 188; 1936, 80; 1937, 107; 1938, 58; 1939, 72, 453; 1941, 92; 1943, 44.

For legislation authorizing the renewal by districts of certain temporary revenue loans, see 1947, 108.

For emergency legislation authorizing districts to make certain appropriations during the existing state of war, see 1943, 5 §§ 1, 6; 75 §§ 1, 2, 4, 5; 1946, 10. [For prior legislation, see 1941, 487; 1942, 4.]

SECT. 8 amended, 1941, 490 § 10; revised, 1954, 104.

SECT. 13 amended, 1938, 204; revised, 1941, 581; 1945, 269; amended, 1951, 274.

SECT. 15 amended, 1932, 180 § 8; 1941, 490 § 11.

SECT. 16 revised, 1943, 103 § 1; amended, 1952, 222.

SECT. 18 revised, 1943, 103 § 2.

SECT. 20A repealed, 1950, 442.

SECT. 24 amended, 1953, 535 § 3.

SECT. 28A amended, 1941, 490 § 12; revised, 1953, 496.

SECT. 28B revised, 1953, 535 § 4.

SECT. 28C added, 1948, 131 (providing for the closing of privately owned forest lands during periods of fire hazard).

SECT. 36A added, 1948, 149 § 1 (providing for the promotion of certain call firemen to membership in the permanent fire force in certain cities and towns).

SECT. 37 revised, 1948, 149 § 2.

SECT. 51A added, 1948, 337 § 1 (providing for the furnishing of gas masks for the use of members of fire departments); second paragraph revised, 1949, 467 § 1. (See 1948, 337 § 2; 1949, 467 § 2.)

SECT. 57A added, 1953, 640 (relative to additional pay or time off for firefighters and others who are required to work on legal holidays).

SECT. 58A added, 1941, 638 (further regulating the hours of duty of permanent members of fire departments in certain cities and towns).

SECT. 58B added, 1945, 413 § 1 (further regulating the hours of duty of permanent members of fire departments in certain cities and towns). (See 1945, 413 § 2; 1946, 114, 371, 436, 597; 1947, 64; 200.)

SECT. 59A amended, 1949, 77.

SECT. 59E added, 1939, 419 § 1 (providing for the ultimate abolition of reserve fire forces in certain cities and towns).

SECT. 66 revised, 1950, 121.

SECT. 70 repealed, 1950, 170.

SECT. 79 revised, 1948, 133; first sentence amended, 1951, 392.

Chapter 49. — Fences, Fence Viewers, Pounds and Field Drivers.

SECT. 6 revised, 1948, 550 § 3.

SECT. 10 amended, 1951, 143 § 2.

SECT. 29 amended, 1951, 143 § 1.

SECT. 36 revised, 1948, 550 § 4.

Chapter 50. — General Provisions relative to Primaries, Caucuses and Elections.

SECT. 1. "Ballot labels" defined, 1941, 511 § 1; "City election" defined, 1943, 453 § 6; "Official ballot" defined, 1941, 511 § 2; "Political committee" defined, 1943, 318 § 5; amended, 1954, 224; definition of "Political party" amended, 1951, 805 § 4; "State officer" defined, 1943, 453 § 7; "Town officer" defined, 1943, 453 § 8. (See 1951, 805 §§ 6, 7.)

SECT. 2 amended, 1932, 141 § 1; sentence added at end, 1938, 341 § 4.

SECT. 3A added, 1947, 37 (relative to the placing on nomination papers of acceptances of nominations); revised, 1953, 26.

SECT. 4, paragraph added at end, 1947, 30 § 2.

SECT. 6A added, 1948, 15 § 3 (providing for the filling of vacancies in certain elective offices in case of the retirement of an incumbent by reason of superannuation prior to the next regular election).

SECT. 8 amended, 1943, 453 § 9.

Chapter 51. — Voters.

For legislation providing for a state wide verification of voting lists, see 1938, 427; repealed and superseded by 1939, 450; amended, 1943, 537; 1945, 127.

SECT. 1, first paragraph revised, 1943, 453 § 10; section amended, 1954, 627 § 19; paragraph added at end, 1932, 206. (See 1954, 627 §§ 65, 67.)

SECT. 2 amended, 1933, 254 § 3; revised, 1945, 310. (See 1933, 254 § 66.)

SECT. 3 amended, 1933, 254 § 4; revised, 1943, 453 § 11. (See 1933, 254 § 66.)

Heading before section 4 revised, 1943, 453 § 12.

SECT. 4 amended, 1933, 254 § 5; first paragraph revised, 1935, 345 § 1; amended, 1937, 1 § 1; revised, 1938, 186 § 1; section revised, 1938, 440 § 2; section amended, 1943, 453 § 13; last paragraph revised, 1947, 26. (See 1933, 254 §§ 65, 66; 1937, 226; 1938, 186 § 5, 440 § 23.)

SECT. 5 revised, 1938, 440 § 3; 1939, 188 § 1. (See 1938, 440 § 23.)

SECT. 6 revised, 1938, 440 § 4; 1939, 188 § 2; next to last sentence revised, 1949, 196. (See 1938, 440 § 23.)

SECT. 7 amended, 1933, 254 § 6; revised, 1935, 345 § 2; amended, 1938, 440 § 5; revised, 1939, 188 § 3. (See 1933, 254 §§ 65, 66; 1938, 440 § 23.)

SECT. 8 amended, 1933, 254 § 7; 1937, 1 § 2; revised, 1938, 186 § 2, 440 § 6. (See 1933, 254 § 66; 1938, 186 § 5, 440 § 23.)

SECT. 9 amended, 1933, 254 § 8; revised, 1938, 440 § 7. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 10 amended, 1938, 440 § 8; repealed, 1943, 453 § 14. (See 1938, 440 § 23.)

SECTS. 10A and 10B added, 1939, 369 § 1 (providing for the securing of information relative to persons residing at inns, lodging houses and public lodging houses); sections stricken out and new section 10A inserted, 1943, 320 § 1.

SECT. 11 revised, 1938, 440 § 9. (See 1938, 440 § 23.)

SECT. 12 revised, 1938, 440 § 10; sentence added at end, 1945, 715 § 1. (See 1938, 440 § 23.)

SECT. 13 repealed, 1943, 453 § 15.

SECT. 14A revised, 1938, 440 § 11. (See 1938, 440 § 23.)

SECT. 14B added, 1933, 254 § 9 (amending special acts relative to the listing of voters in certain municipalities so as to conform to the change in taxing date from April 1 to January 1); revised, 1938, 440 § 12; amended, 1943, 453 § 16. (See 1933, 254 §§ 65, 66; 1938, 440 § 23.)

SECT. 18 amended, 1950, 142.

SECT. 20 revised, 1943, 453 § 17.

SECT. 22 amended, 1938, 280; revised, 1943, 453 § 18; amended, 1950, 172.

SECT. 22A added, 1945, 715 § 2 (providing for registration as voters of persons who are physically unable to apply in person); revised, 1946, 196 § 1.

SECT. 23 amended, 1943, 453 § 19; revised, 1945, 715 § 3.

SECT. 24 amended, 1950, 177.

SECT. 26 amended, 1932, 48 § 1; 1935, 37 § 1; 1938, 473 § 2; 1943, 453 § 20; revised, 1947, 34 § 1; sentence inserted before last sentence, 1948, 42.

SECT. 27 revised, 1932, 48 § 2; amended, 1935, 37 § 2; 1938, 473 § 3; amended, 1943, 109 § 1; revised, 1943, 453 § 21; 1947, 34 § 2.

SECT. 28 revised, 1947, 34 § 3.

SECT. 29 amended, 1947, 34 § 4.

SECT. 29A amended, 1943, 109 § 2; revised, 1947, 34 § 5.

SECT. 29B added, 1938, 179 (providing for sessions of registrars of voters in all the wards of every city prior to each biennial state election); amended, 1943, 453 § 22; 1947, 34 § 6.

SECT. 30, first sentence amended, 1943, 453 § 23; section revised, 1947, 34 § 7.

SECT. 32 amended, 1933, 254 § 10. (See 1933, 254 § 66.)

SECT. 33, paragraph added at end, 1945, 246; revised, 1946, 160.

SECT. 34 amended, 1933, 254 § 11. (See 1933, 254 § 66.)

SECT. 35 revised, 1938, 440 § 13; amended, 1939, 451 § 10; sentence added at end, 1947, 244 § 1. (See 1938, 440 § 23.)

SECT. 36 amended, 1933, 254 § 12; paragraph added at end, 1943, 453 § 24. (See 1933, 254 § 66.)

SECT. 37 amended, 1933, 254 § 13; revised, 1938, 440 § 14; fourth sentence amended, 1939, 369 § 2; 1943, 320 § 2; last sentence stricken out, 1941, 328 § 2; section revised, 1943, 453 § 25. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 38 revised, 1943, 453 § 26.

SECT. 39 amended, 1938, 440 § 15. (See 1938, 440 § 23.)

SECT. 41 revised, 1943, 453 § 27.

SECT. 41A added, 1941, 328 § 1 (ensuring that certain laws relative to registration of persons residing at inns and lodging houses are of general application); revised, 1943, 320 § 3.

SECT. 42 revised, 1945, 715 § 4.

SECT. 42A added, 1945, 715 § 5 (relative to registration as voters of persons who are physically unable to apply in person); revised, 1946, 196 § 2.

SECT. 43 amended, 1933, 254 § 14; revised, 1938, 440 § 16. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 44 amended, 1943, 453 § 28; revised, 1945, 715 § 6.

SECT. 45 revised, 1943, 108; 1945, 715 § 7.

SECT. 46 revised, 1945, 715 § 8.

SECT. 47 revised, 1945, 715 § 9.

SECT. 50 amended, 1938, 440 § 17; 1945, 378. (See 1938, 440 § 23.)

SECT. 54, paragraph added at end, 1946, 537 § 1. (See 1946, 537 § 12.)

SECT. 55 amended, 1933, 254 § 15; sentence added at end, 1936, 2 § 1; same sentence revised, 1938, 473 § 4; section amended, 1943, 453 § 29; 1950, 193; third and fourth sentences revised, 1949, 212; last sentence revised, 1946, 140 § 15; section revised, 1950, 255. (See 1933, 254 § 66.)

SECT. 57 amended, 1943, 453 § 30.

SECT. 58 revised, 1945, 253.

SECT. 61 amended, 1937, 21 § 1.

SECT. 62 amended, 1943, 453 § 31.

SECT. 63 revised, 1943, 453 § 32.

Chapter 52. — Political Committees.

Chapter stricken out and new chapter inserted, 1938, 346 § 1. (See 1938, 346 §§ 3, 4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 52, as so inserted:

SECT. 1, first two paragraphs revised, 1948, 614 § 1; section revised, 1950, 280 § 1. (See 1948, 614 §§ 8, 9.)

SECT. 1A added, 1948, 614 § 2 (relative to nominations of candidates for members of state political committees); repealed, 1950, 280 § 2. (See 1948, 614 §§ 8, 9.)

SECT. 2, sentence added at end, 1948, 23.

SECT. 9 revised, 1941, 337 § 1; first sentence revised, 1953, 406 § 1.

Chapter 53. — Nominations, Questions to be submitted to the Voters, Primaries and Caucuses.

SECT. 1 amended, 1939, 371.

SECT. 2 amended, 1932, 310 § 4; last sentence revised, 1934, 32 § 1; section revised, 1938, 473 § 5; 1941, 337 § 2; amended, 1953, 406 § 2. (See 1937, 384, 435.)

SECT. 3 revised, 1936, 116 § 1; amended, 1937, 45 § 1; revised, 1943, 334 § 1; sentence added at end, 1945, 55.

SECT. 5, first paragraph amended, 1954, 31; paragraph added at end, 1947, 141.

SECT. 6 amended, 1936, 101; revised, 1939, 191; 1941, 266; amended, 1943, 50; revised, 1943, 334 § 2.

SECT. 7 amended, 1933, 254 § 16; sentence inserted, 1936, 2 § 2; section revised, 1936, 4 § 1; amended, 1937, 25 § 1; 1938, 341 § 5; first and second sentences revised, 1943, 334 § 3; last three sentences revised, 1954, 183 § 2. (See 1933, 254 § 66.)

SECT. 7A added, 1943, 229 § 2 (relative to the certification of nomination petitions for preliminary elections in cities).

SECT. 8, first paragraph amended, 1932, 135 § 4; section amended, 1933, 35 § 1; first sentence amended, 1938, 473 § 6; section revised, 1943, 334 § 4; second paragraph amended, 1951, 805 § 5. (See 1951, 805 §§ 6, 7.)

SECT. 10, first paragraph amended, 1934, 111; revised, 1937, 45 § 2; amended, 1938, 373 § 4; 1946, 20 § 2; second paragraph revised, 1933, 313 § 2; 1941, 278; amended, 1941, 472 § 4; first two sentences stricken out and one sentence inserted, 1954, 114; 1943, 229 § 3; third paragraph revised, 1937, 77 § 2; amended, 1943, 334 § 5; revised, 1947, 74; paragraph inserted after third paragraph, 1948, 63.

SECT. 11, sentence added at end, 1933, 313 § 3; revised, 1937, 77 § 3; section revised, 1937, 212 § 1; amended, 1943, 334 § 6.

SECT. 12 revised, 1937, 212 § 2; first paragraph amended, 1943, 334 § 7; paragraph added at end, 1939, 166.

SECT. 12A added, 1933, 305 (to prevent certain fraudulent nominations).

SECT. 13, sentence added at end, 1933, 313 § 4; section amended, 1937, 26, 77 § 4.

SECT. 14, sentence inserted after third sentence, 1943, 334 § 8.

SECT. 15 amended, 1943, 334 § 9.

SECT. 17 amended, 1943, 334 § 10.

SECT. 17A added, under the heading "ENDORSEMENT FOR NOMINATION OF MEMBERS OF STATE POLITICAL COMMITTEES BY CONVENTIONS", 1938, 397; second paragraph amended, 1945, 237 § 1; fifth paragraph amended, 1945, 20.

SECT. 18 revised, 1934, 282.

SECT. 20 revised, 1943, 334 § 11.

SECT. 21 amended, 1945, 237 § 2.

SECT. 22A amended, 1932, 80; 1938, 192; 1943, 51; 1948, 596.

SECT. 22B added, 1938, 191 (requiring persons circulating initiative and referendum petitions to attest the validity of signatures thereto under the penalties of perjury).

SECT. 24. See 1937, 275.

SECT. 26 amended, 1943, 334 § 12; paragraph added at end, 1945, 51.

SECT. 28 amended, 1932, 310 § 5; revised, 1933, 313 § 5; amended, 1934, 321 § 2; revised, 1938, 473 § 7; first paragraph amended, 1946, 20 § 3. (See 1937, 384, 435.)

SECT. 32 amended, 1932, 310 § 6; 1938, 473 § 8. (See 1937, 384, 435.)

SECT. 33, sentence added at end, 1941, 511 § 3.

SECT. 34 revised, 1932, 310 § 7; first paragraph revised, 1938, 436 § 1; fourth paragraph revised, 1937, 22; section revised, 1938, 473 § 9; second and third paragraphs revised, 1941, 337 § 3; fifth paragraph revised, 1941, 352; amended, 1943, 334 § 13; section revised, 1953, 406 § 3; second paragraph revised, 1954, 225. (See 1937, 384, 435.)

SECT. 35 amended, 1932, 310 § 8; 1938, 473 § 10; amended, 1941, 337 § 4. (See 1937, 384, 435.)

SECT. 35A added, 1943, 301 (relative to pasters or stickers for use at primaries).

SECT. 36 amended, 1941, 511 § 4.

SECT. 37 revised, 1943, 334 § 14; sentence added at end, 1949, 194.

SECT. 38 amended, 1938, 299; 1943, 334 § 15; 1945, 237 § 3.

SECT. 40 revised, 1932, 30.

SECT. 40A added, 1943, 334 § 16 (requiring petitions for recounts at primaries of a political party to be signed by enrolled voters thereof).

SECT. 41 revised, 1932, 310 § 9; section and title preceding it stricken out and new section inserted under the heading "PROVISIONS APPLYING TO STATE PRIMARIES", 1938, 473 § 11; section revised, 1941, 337 § 5. (See 1937, 384, 435.)

SECT. 42 amended, 1932, 310 § 10; 1937, 24 § 2; revised, 1938, 373 § 1; 1953, 406 § 4. (See 1937, 384, 435.)

SECT. 43 amended, 1932, 310 § 11; 1937, 201; 1949, 109 § 1. (See 1937, 384, 435.)

SECT. 44 revised, 1932, 310 § 12; amended, 1935, 38; revised, 1938, 373 § 2, 473 § 12; amended, 1941, 337 § 6; revised, 1952, 221; 1953, 406 § 5; last sentence stricken out and two sentences inserted, 1954, 183 § 1. (See 1937, 384, 435.)

SECT. 45 amended, 1932, 310 § 13; first paragraph amended, 1936, 22; 1938, 84; section revised, 1938, 473 § 13; amended, 1941, 337 § 7; first paragraph amended, 1947, 338 § 1; paragraph added at end, 1946, 537 § 2. (See 1937, 384, 435; 1946, 537 § 12.)

SECT. 46 amended, 1936, 4 § 2; revised, 1937, 25 § 2; amended, 1941, 337 § 8.

SECT. 47 amended, 1932, 310 § 14; 1938, 473 § 14. (See 1937, 384, 435.)

SECT. 48 amended, 1932, 310 § 15; first paragraph revised, 1938, 373 § 3; paragraph added at end, 1938, 272; same paragraph amended, 1941, 563; paragraph added at end, 1941, 675; section amended, 1943, 53; first paragraph amended, 1946, 20 § 4; section revised, 1951, 332; first paragraph revised, 1953, 406 § 6. (See 1937, 384, 435.)

SECT. 49 revised, 1932, 310 § 16; 1938, 473 § 15. (See 1937, 384, 435.)

SECT. 51 amended, 1932, 310 § 17; 1938, 473 § 16. (See 1937, 384, 435.)

SECT. 52 amended, 1932, 310 § 18; revised, 1938, 473 § 17; amended, 1941, 337 § 9; revised, 1948, 614 § 3; 1950, 280 § 3. (See 1937, 384, 435; 1948, 614 §§ 8, 9.)

SECT. 53 revised, 1932, 310 § 19; 1938, 473 § 18; amended, 1941, 337 § 10; 1948, 614 § 4; 1950, 280 § 4. (See 1937, 384, 435; 1948, 614 §§ 8, 9.)

SECT. 53A amended, 1932, 310 § 20; revised, 1938, 473 § 19. (See 1937, 384, 435.)

SECT. 54 revised, 1932, 310 § 21; two sentences added, 1935, 482 § 1; section amended, 1936, 11 § 1; 1937, 24 § 3; section (and heading) revised, 1938, 346 § 2; section amended, 1941, 337 § 11; section (and heading) revised, 1953, 406 § 7. (See 1936, 11 §§ 2, 3; 1937, 384, 435; 1938, 346 §§ 3, 4.)

SECTS. 54A and 54B added, 1932, 310 § 22 (relative to proceedings at pre-primary conventions, to the form of certificates of nomination of candidates thereat, and to the acceptance of such nominations); repealed, 1938, 473 § 20. (See 1937, 384, 435.)

SECTS. 54C and 54D added, 1953, 406 § 8 (relative to the certification and seating of candidates and delegates at state conventions).

SECT. 55, paragraph added at end, 1936, 116 § 2.

SECT. 56 amended, 1943, 334 § 17.

SECT. 57 amended, 1937, 410; 1945, 237 § 4.

SECT. 61 amended, 1936, 140; 1937, 411; 1941, 272.

SECTS. 65-70 (and caption) repealed, 1932, 310 § 23. (See 1937, 384, 435; 1938, 473 § 21.)

SECTS. 70A-70H added, under heading "PROVISIONS APPLYING TO PRESIDENTIAL PRIMARIES," 1938, 473 § 21.

SECT. 70B amended, 1941, 337 § 12.

SECT. 70D, fourth sentence stricken out and two sentences inserted, 1947, 338 § 2; section revised, 1948, 614 § 5; 1950, 280 § 5. (See 1948, 614 §§ 8, 9.)

SECT. 70E, sentence inserted before last sentence, 1947, 31; four paragraphs added at end, 1951, 764.

SECT. 70F amended, 1939, 452 § 11; revised, 1948, 614 § 6; 1950, 280 § 6. (See 1948, 614 §§ 8, 9.)

SECT. 70G, second paragraph, as appearing in 1938, 473 § 21, amended, 1948, 614 § 7; 1950, 280 § 7; two paragraphs inserted after first paragraph, 1953, 406 § 9. (See 1948, 614 §§ 8, 9.)

SECT. 71. See 1937, 275.

SECT. 72A added, 1933, 313 § 6 (relative to caucuses before regular city elections in cities having absent voting); revised, 1937, 77 § 5; 1945, 1.

SECT. 76, paragraph added at end, 1946, 537 § 3. (See 1946, 537 § 12.)

SECT. 87, paragraph added at end, 1946, 537 § 4. (See 1946, 537 § 12.)

SECT. 112 amended, 1935, 59 § 2.

SECT. 117 amended, 1932, 141 § 2.

SECT. 121 added, 1932, 141 § 3 (authorizing the nomination by caucuses other than those of political or municipal parties of two candidates for each town office); revised, 1936, 204.

Chapter 54. — Elections.

For legislation relative to absent voting by members of the armed forces during time of war, see 1948, 531.

SECT. 2 amended, 1943, 411 § 1.

SECT. 4 revised, 1935, 482 § 2; amended, 1936, 185; revised, 1937, 412.

SECT. 5 revised, 1943, 209 § 1.

SECT. 6 revised, 1943, 411 § 2.

SECT. 7 revised, 1943, 411 § 3; amended, 1947, 267 § 1.

SECT. 7A added, 1947, 267 § 3 (authorizing the division of precincts in certain towns for the sole purpose of facilitating voting therein).

SECT. 9A added, 1937, 267 § 1 (relative to the use of precincts in certain towns in the formation of representative districts); revised, 1947, 267 § 2.

SECT. 11 amended, 1932, 76 § 1; 1934, 158 § 1; 1937, 27; 1938, 341 § 6; revised, 1941, 432 § 1.

SECT. 11A added, 1932, 76 § 2 (dispensing with the appointment of deputy election officers in certain cities).

SECT. 11B added, 1941, 432 § 2 (relative to the appointment of election officers in certain cities); revised, 1943, 230.

SECT. 12 amended, 1934, 158 § 2; revised, 1945, 363.

SECT. 13 amended, 1934, 158 § 3; 1943, 411 § 4.

SECT. 14 amended, 1943, 411 § 5.

SECT. 16A added, 1943, 411 § 6 (relative to the temporary filling of vacancies in the offices of election officers).

SECT. 19 amended, 1934, 158 § 4.

SECT. 21 amended, 1934, 158 § 5.

SECT. 22 amended, 1943, 411 § 7.

SECT. 23 amended, 1943, 411 § 8; paragraph added at end, 1946, 537 § 5. (See 1946, 537 § 12.)

SECT. 24, last sentence stricken out and two new sentences inserted, 1943, 209 § 2.

SECT. 25 revised, 1943, 411 § 9.

SECT. 26 amended, 1938, 281 § 1; 1943, 240.

SECT. 27, paragraph added at end, 1946, 537 § 6. (See 1946, 537 § 12.)

SECT. 30 amended, 1943, 310 § 1.

SECT. 30A added, 1943, 310 § 2 (relative to election officers in places where voting machines are used); revised, 1947, 255 § 1.

SECT. 31, paragraph added at end, 1943, 310 § 3.

SECT. 33, last sentence stricken out, and paragraph inserted at end, 1935, 238 § 1; last sentence of same paragraph revised, 1951, 709 § 1; paragraph added at end, 1951, 709 § 2.

SECTS. 33A-33D added, 1943, 310 § 4 (relative to the use of voting machines at primaries and elections).

SECT. 34 revised, 1936, 205 § 1; second paragraph stricken out, 1938, 281 § 2; section amended, 1945, 84.

SECT. 35 revised, 1943, 310 § 5.

SECTS. 35A and 35B added, 1938, 281 § 3 (relative to voting by challenged voters at polling places where voting machines are used and to the counting of votes where such machines are used).

SECT. 35A, sentence added at end, 1941, 511 § 5; section amended, 1945, 62.

SECT. 35B, second sentence of second paragraph revised, 1941, 511 § 6; second paragraph revised, 1943, 310 § 6; third paragraph amended, 1941, 511 § 7.

SECT. 38 revised, 1936, 205 § 2.

SECT. 41, third paragraph amended, 1933, 35 § 2; 1938, 190; second sentence of same paragraph revised, 1938, 436 § 2; same paragraph amended, 1946, 78; last paragraph stricken out and three paragraphs

inserted, 1943, 411 § 11; sentence added at end, 1952, 128; same sentence revised, 1953, 1; 1954, 127.

SECT. 42 amended, 1932, 135 § 5; first paragraph amended, 1935, 238 § 2; same paragraph revised and paragraph inserted, 1941, 292; first two paragraphs revised, 1948, 272; second paragraph amended, 1953, 212, 432; last paragraph amended, 1943, 411 § 12.

SECT. 42A added, 1947, 138 § 1 (relative to questions appearing upon ballots at state and municipal elections).

SECT. 43 revised, 1932, 135 § 1.

SECT. 44 amended, 1943, 411 § 13.

SECT. 45, first sentence revised, 1943, 281 § 1; paragraph added at end, 1943, 281 § 2.

SECT. 48 amended, 1943, 290.

SECT. 49 amended, 1943, 411 § 14.

SECT. 53 amended, 1945, 64.

SECT. 60, last sentence amended, 1938, 281 § 6.

SECT. 62 amended, 1935, 257 § 5. (See 1935, 257 § 12.)

SECT. 64, third paragraph revised, 1949, 109 § 2; last paragraph amended, 1934, 39 § 5.

SECT. 65 revised, 1933, 289 § 1; amended, 1943, 411 § 15; second sentence stricken out and two sentences inserted, 1952, 129; paragraph inserted after first paragraph, 1951, 257; paragraph added at end, 1946, 537 § 7. (See 1946, 537 § 12.)

SECT. 68, paragraph added at end, 1946, 537 § 8. (See 1946, 537 § 12.)

SECT. 69 amended, 1947, 255 § 2.

SECT. 70 revised, 1943, 411 § 16; amended, 1947, 255 § 3.

SECT. 71. See 1937, 275.

SECT. 71A added, 1943, 411 § 17 (requiring that election officers in cities and in certain towns be supervised by the city or town clerk).

SECT. 73, paragraph added at end, 1946, 537 § 9. (See 1946, 537 § 12.)

SECT. 75 amended, 1943, 411 § 18.

SECT. 76 revised, 1943, 411 § 19.

SECT. 76A added, 1943, 411 § 20 (requiring a person applying to vote to write his name upon request of any election officer).

SECT. 78 revised, 1932, 135 § 2.

SECT. 79 amended, 1943, 411 § 21.

SECT. 85A added, 1937, 275 § 1 (relative to the challenging of voters at polling places at certain elections, primaries and caucuses). (See 1937, 275 § 2.)

SECT. 86 revised, 1945, 466 § 1; amended, 1950, 21; 1951, 153 § 1; revised, 1954, 101.

SECT. 87, subsection (a) revised, 1945, 52; subsection (b) revised, 1936, 404 § 1; amended, 1945, 466 § 2; 1951, 153 § 2; 1948, 477 § 1; subsection (c) revised, 1936, 404 § 2; amended, 1937, 162 § 2; 1941, 279 § 2; 1944, 1 § 9; 1945, 231 §§ 1, 2; 466 § 3; subsection (d) revised, 1941, 333; subsection (e) revised, 1946, 140 § 13.

SECT. 89 revised, 1936, 404 § 3.

SECT. 90 repealed, 1946, 140 § 14.

SECT. 92 revised, 1936, 404 § 4; amended, 1937, 162 § 1; 1941, 279 § 1; revised, 1945, 466 § 4.

SECT. 93 revised, 1936, 404 § 5; amended, 1941, 722 § 8.

SECT. 94 amended, 1952, 39 § 1; revised, 1954, 102.

SECT. 95 revised, 1936, 404 § 6; amended, 1945, 466 § 5; 1952, 39 § 2.

SECT. 96 amended, 1936, 404 § 7.

SECT. 98 amended, 1945, 466 § 6.

SECT. 100 revised, 1936, 404 § 8.

SECT. 103A added, 1933, 313 § 1 (providing for absent voting at regular city elections); affected, 1936, 404 § 9; revised, 1937, 77 § 1; first paragraph amended, 1939, 152; revised, 1948, 477 § 2; paragraph added at end, 1946, 118.

SECT. 104 amended, 1934, 39 § 6.

SECT. 105, first paragraph amended, 1952, 39 § 3; second paragraph revised, 1947, 95; fourth paragraph amended, 1938, 341 § 7.

SECT. 107 revised, 1943, 411 § 22; amended, 1946, 93.

SECT. 109 amended, 1943, 411 § 23.

SECT. 112 amended, 1935, 257 § 6; 1939, 31 § 3; first sentence revised, 1946, 130 § 2. (See 1935, 257 § 12.)

SECT. 115, second sentence revised, 1952, 207.

SECT. 116, first sentence revised, 1946, 130 § 3.

SECT. 122 amended, 1935, 257 § 7. (See 1935, 257 § 12.)

SECTS. 124-128 repealed, 1946, 130 § 4.

SECT. 132 amended, 1932, 33.

SECT. 133 amended, 1937, 21 § 2.

SECT. 134 amended, 1943, 411 § 24.

SECT. 135, first paragraph amended, 1933, 254 § 17; section revised, 1933, 270; first paragraph revised, 1935, 59 § 1; 1938, 250 § 1; 1941, 236; third paragraph revised, 1937, 303; same paragraph amended, 1941, 350; last paragraph revised, 1938, 250 § 2; paragraph inserted after first paragraph, 1938, 281 § 4; section revised, 1943, 417; paragraph inserted after first paragraph, 1945, 149; first paragraph stricken out and three paragraphs inserted, 1945, 315; third paragraph revised, 1947, 353 § 1; seventh paragraph revised, 1947, 353 § 2. (See 1933, 254 § 66.)

SECT. 135A added, 1938, 281 § 5 (relative to the recounting of votes where voting machines are used); amended, 1943, 411 § 25; sentence inserted after first sentence, 1949, 188; 1945, 142.

SECT. 137 amended, 1935, 55.

SECT. 138, last paragraph amended, 1937, 23 § 1.

SECT. 139 amended, 1943, 49.

SECT. 141 amended, 1939, 508 § 16; first paragraph stricken out, 1946, 130 § 5; second paragraph amended, 1945, 38 § 7; 1946, 20 § 1.

SECT. 144 revised, 1935, 257 § 8; first paragraph amended, 1939, 31 § 4. (See 1935, 257 § 12.)

SECT. 146 amended, 1935, 257 § 9. (See 1935, 257 § 12.)

SECT. 148 amended, 1937, 23 § 2.

SECT. 151 amended, 1932, 135 § 3.

SECT. 158 amended, 1935, 257 § 10; first paragraph revised, 1939, 31 § 5. (See 1935, 257 § 12.)

SECT. 161 (except last paragraph) amended, 1934, 265; paragraph added at end, 1946, 594. (See 1939, 467.)

Chapter 54A. — Election of City and Town Officers by Proportional Representation and Preferential Voting.

New chapter inserted, 1937, 345.

Chapter inserted by 1937, 345 stricken out and new chapter inserted, 1938, 341 § 1.

The following references are to chapter 54A as so inserted:

SECT. 1 amended, 1941, 345.

SECT. 2, paragraph added at end, 1938, 378 § 17; section revised, 1941, 640 § 6. (See 1941, 640 § 7.)

SECT. 9, paragraph (t) added, 1950, 28.

Chapter 55. — Corrupt Practices and Election Inquests.

Chapter stricken out and new chapter 55 inserted, 1946, 537 § 10. (See 1946, 537 § 12.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 55 as so inserted:

SECT. 4, first sentence stricken out and three sentences inserted, 1954, 287.

SECT. 11, first paragraph revised, 1954, 644.

SECT. 13, paragraph inserted after first paragraph, 1954, 530.

SECT. 16 amended, 1954, 272.

SECT. 20, first sentence revised, 1954, 223.

Chapter 56. — Violations of Election Laws.

Chapter stricken out and new chapter 56 inserted, 1946, 537 § 11. (See 1946, 537 § 12.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 56 as so inserted:

SECT. 41, first paragraph revised, 1950, 88.

SECT. 41A added, 1950, 91 (relative to the unauthorized use of persons' names in political advertising).

SECT. 43A added, 1951, 104 (regulating use of the word "Veteran" by candidates for public office).

SECT. 44A added, 1949, 238 (prohibiting the distribution of certain lists of candidates for state office unless the name of the person responsible therefor appears thereon).

Chapter 57. — Congressional, Councillor and Senatorial Districts, and Apportionment of Representatives.

SECT. 1 revised, 1941, 556.

SECT. 2 revised, 1939, 507 § 1; 1948, 250 § 1. (See 1948, 250 §§ 3, 4.)

SECT. 3 revised, 1939, 507 § 2; 1948, 250 § 2. (See 1948, 250 §§ 3, 4.)

SECT. 4 revised, 1939, 467 § 1; 1947, 182 § 1. (See 1939, 467 §§ 2, 3, 4; 1947, 182 §§ 2, 3, 4.)

SECT. 5. See 1939, 467.

Chapter 58. — General Provisions relative to Taxation.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

SECT. 1, first sentence revised, 1943, 428 § 2; fifth sentence amended, 1932, 180 § 9; same sentence revised, 1937, 108 § 2.

SECT. 2 amended, 1933, 254 § 18; paragraph added at end, 1941, 726 § 2; same paragraph revised, 1953, 654 § 5. (See 1933, 254 § 66.)

SECT. 3 amended, 1933, 254 § 19. (See 1933, 254 § 66.)

SECT. 8, revised, 1935, 322 § 1; 1945, 351 § 2; amended, 1953, 654 § 6.

SECT. 8A added, 1951, 500 (relative to reimbursement of municipalities for loss of taxes through abatements to paraplegic veterans).

SECT. 9 revised, 1939, 346; 1941, 112; amended, 1953, 654 § 7.

SECT. 10 amended, 1934, 323 § 9; 1951, 641 § 3; revised, 1953, 654 § 8. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 11 amended, 1939, 451 § 14; repealed, 1941, 609 § 1.

SECT. 12 amended, 1941, 490 § 13; repealed, 1941, 609 § 1.

SECT. 13 amended, 1933, 254 § 20; 1945, 564; 1953, 654 § 9. (See 1933, 254 § 66.)

SECT. 14 amended, 1939, 451 § 15; 1953, 654 § 10.

SECT. 15 amended, 1933, 254 § 21; revised, 1941, 490 § 14; amended, 1953, 654 § 11. (See 1933, 254 § 66.)

SECT. 17A amended, 1939, 451 § 26; 1953, 654 § 12.

SECT. 17B added, 1945, 592 § 1 (relative to payments by the commonwealth to certain towns in reimbursement for loss of taxes by reason of property taken for flood control); amended, 1953, 654 § 13. (See 1945, 592 § 2.)

SECT. 18 revised, 1933, 350 § 7; amended, 1936, 405 § 1; 1939, 451 § 16; 1945, 624 § 1; revised, 1945, 735 § 4; amended, 1953, 654 § 14; amended, 1951, 641 § 4; amended, 1947, 679 § 3; affected, 1933, 357 § 4; 1935, 438 § 2. (See 1933, 307 § 11, 350 § 9; 1936, 362 § 4; 1951, 641 §§ 18, 19.)

SECT. 20 revised, 1936, 362 § 3; amended, 1937, 108 § 1; 1953, 654 § 15; introductory paragraph amended, 1941, 656 § 1; 1945, 624 § 2. (See 1936, 362 §§ 4, 8; 1937, 108 § 3.)

SECT. 20A added, 1936, 376 § 3 (relative to the set-off of money due to the commonwealth from a city or town against sums due to the city or town from the commonwealth).

SECT. 21 amended, 1933, 254 § 22; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECTS. 22 and 23 repealed, 1934, 323 § 1. (See 1934, 323 § 11.)

SECT. 24 amended, 1933, 254 § 23; repealed, 1951, 641 § 2. (See 1933, 254 § 66; 1951, 641 §§ 18, 19.)

SECT. 24A revised, 1934, 323 § 2; first sentence amended, 1945, 624 § 3; section repealed, 1951, 641 § 2. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 25 revised, 1934, 323 § 3; amended, 1939, 451 § 17; first sentence revised, 1941, 729 § 11; section revised, 1945, 624 § 4; 687; amended, 1951, 641 § 5; 1953, 654 § 16. (See 1934, 323 § 11; 1941, 729 § 15; 1951, 641 §§ 18, 19.)

SECT. 25A revised, 1934, 323 § 4; first sentence revised, 1945, 624 § 5; amended, 1951, 641 § 6; 1953, 654 § 17. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 26 amended, 1933, 254 § 24; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 26A added, 1945, 523 § 1 (relative to abatement of uncollectible taxes); amended, 1953, 654 § 18.

SECT. 27, first sentence revised, 1943, 521 § 1; section amended, 1951, 641 § 7; 1953, 654 § 19. (See 1951, 641 §§ 18, 19.)

SECTS. 28A and 28B added, 1947, 483 § 1 (provisions for aiding in the collection of federal and state personal income taxes).

SECT. 29, first sentence revised, 1953, 654 § 20; paragraph (4) stricken out, 1945, 161 § 1.

SECT. 30 revised, 1945, 624 § 6; amended, 1951, 641 § 8. (See 1951, 641 §§ 18, 19.)

SECT. 31 added, under heading "FORMS", 1937, 135 § 1 (relative to forms of application for abatement of taxes and certain other forms and the approval thereof by the commissioner of corporations and taxation); amended, 1953, 654 § 21.

SECT. 32 added, 1953, 654 § 22 (relative to the summons, attendance and testimony of witnesses before the commissioner).

Chapter 58A. — Appellate Tax Board (former title, Board of Tax Appeals).

SECT. 1 revised, 1937, 400 § 3; first paragraph amended, 1948, 583; same paragraph revised, 1950, 784; amended, 1953, 654 § 23. (See 1937, 400 §§ 1, 2, 4, 5, 7.)

SECT. 5 revised, 1941, 381, 596 § 24.

SECT. 6 amended, 1932, 180 § 10; revised, 1933, 167 § 4; amended, 1934, 323 § 10; revised, 1938, 478 § 4; first sentence revised, 1941, 609 § 2; same sentence amended, 1941, 726 § 1; same sentence revised, 1945, 367 § 3; section revised, 1945, 621 § 1; first sentence revised, 1947, 632 § 2; amended, 1951, 641 § 9; section amended, 1953, 654 § 24. (See 1933, 167 § 5; 1934, 323 § 11; 1937, 400 § 1; 1947, 632 § 3; 1951, 641 §§ 18, 19.)

SECT. 7 revised, 1933, 321 § 2; amended, 1939, 451 § 18; 1945, 621 § 2; 1952, 502; 1953, 654 § 25. (See 1933, 321 § 9.)

SECT. 7A added, 1933, 321 § 3 (providing for the establishment of informal procedure before the appellate tax board); revised, 1935, 447; third sentence revised, 1938, 384; 1943, 282; section revised, 1945, 621 § 3. (See 1933, 321 §§ 8, 9.)

SECT. 8 revised, 1933, 321 § 4. (See 1933, 321 § 9.)

SECT. 8A added, 1935, 276 § 1 (providing for adequate discovery in tax appeal cases).

SECT. 9 amended, 1953, 654 § 26.

SECT. 10 revised, 1933, 321 § 5. (See 1933, 321 § 9.)

SECT. 12 amended, 1933, 321 § 6. (See 1933, 321 § 9.)

SECT. 12A added, 1943, 430 (relative to taxation of costs by the appellate tax board in certain appeals as to the assessed value where it exceeds the value as recently determined by said board).

SECT. 12B added, 1950, 262 (relative to the admissibility of evidence of assessed valuations at hearings before the appellate tax board).

SECT. 13 revised, 1933, 321 § 7; amended, 1933, 350 § 8; 1935, 218 § 1; 1939, 366 § 1; 1953, 654 § 27; 1954, 681 § 5. (See 1933, 321 § 9; 350 § 9; 1954, 681 §§ 20, 22.)

Chapter 59. — Assessment of Local Taxes.

For temporary legislation exempting persons in the military and naval service of the United States from the payment of poll taxes, see 1943, 406; 1947, 637.

For temporary legislation exempting from taxation certain real property of residents of the commonwealth serving in the armed forces of the United States, and their spouses, see 1943, 412; 1945, 627 § 2.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

Temporary act relative to the taking of appeals involving real estate in which closed banks have an interest, 1941, 145 § 2.

As to Boston taxes, see 1932, 125; 1933, 159; 1934, 201; 1935, 284; 1936, 224.

SECT. 1 amended, 1936, 202 § 1; revised, 1938, 186 § 3. (See 1936, 202 § 2; 1938, 186 § 5.)

SECT. 2 revised, 1954, 459 § 1.

SECT. 3A revised, 1951, 667 § 1.

SECT. 3B added, 1946, 393 (to abolish certain implied exemptions from local taxation).

SECT. 3C added, 1952, 614 § 1 (relative to local taxation of certain pipe lines). (See 1952, 614 § 3.)

SECT. 5, clause First revised, 1936, 81; 1938, 47; clause Second revised, 1951, 667 § 2; clause Third, subsection (c) amended, 1933, 198 § 1 (see 1933, 198 § 2); clause Eighth amended, 1947, 83 § 1; clause Eleventh revised, 1938, 317; amended, 1953, 231; 1954, 341; clause Sixteenth revised, 1936, 362 § 1 (see 1936, 362 §§ 4, 8); 1941, 467; amended, 1949, 732; 1952, 232 § 1 (see 1952, 232 § 2); 1953, 654 § 28; 1954, 435 § 1 (see 1954, 435 § 2); clause Seventeenth revised, 1935, 294; amended, 1939, 451 § 19; revised, 1941, 227 § 1; 1954, 351; clause Seventeenth A added, 1938, 186 § 4 (see 1938, 186 § 5); sentence added at end, 1943, 559; amended, 1949, 236; revised, 1953, 358; clause Seventeenth B added, 1950, 796; amended, 1951, 730; clause Eighteenth revised, 1941, 227 § 2; clause Twentieth revised, 1937, 132; 1941, 482; 1947, 310; 1951, 640 § 1 (see 1951, 640 § 2); amended, 1953, 347; clause Twenty-second amended, 1939, 451 § 20; paragraph (a) amended, 1945, 627 § 1; clause revised, 1946, 579; 1947, 612 § 1 (see 1947, 612 § 2); paragraph (a), sentence added at end, 1949, 206; paragraph (d) revised, 1948, 560; paragraph (e) and one other paragraph inserted, 1948, 644 § 1 (see 1948, 644 § 3); paragraph added at end, 1948, 644 § 2 (see 1948, 644 § 3); clause revised, 1949, 534 § 1; 1951, 675; paragraph (g) revised, 1954, 245; clause revised, 1954, 683 § 1 (see 1954, 683 §§ 2A, 3); clause Twenty-second A added, 1954, 683 § 2 (see 1954, 683 § 3); clause Twenty-third amended, 1932, 114 § 4; revised, 1947, 647; 1949, 534 § 2; clause Twenty-fifth amended, 1951, 272; clause Thirty-second amended, 1951, 641 § 10 (see 1951, 641 §§ 18, 19); clause Thirty-fifth revised, 1939, 24 § 2; clause Thirty-sixth added, 1952, 583 § 2 (see 1952, 538 § 3); clause Thirty-seventh added, 1953, 379.

SECT. 5A added, 1941, 227 § 3 (relative to collection of taxes from estates of persons who were relieved therefrom for lack of ability to pay, or otherwise); first sentence revised, 1948, 541.

SECT. 6 amended, 1933, 254 § 25; 1936, 59 § 1; first paragraph amended, 1941, 440; revised, 1946, 410. (See 1933, 254 § 66; 1936, 59 § 3.)

SECTS. 6 and 7. See 1934, 307.

SECT. 7, first paragraph amended, 1936, 59 § 2; section amended, 1939, 451 § 21; 1945, 367 § 1. (See 1936, 59 § 3.)

SECT. 7A added, 1945, 367 § 2 (relative to payments in lieu of taxes on certain property held by a municipality or district in another municipality).

SECT. 8 amended, 1933, 80, 254 § 26; paragraph added at end, 1935, 119 § 1. (See 1933, 254 § 66; 1935, 119 § 2.)

SECT. 9 amended, 1933, 254 § 27; revised, 1939, 342 § 4. (See 1933, 254 § 66.)

SECT. 10 amended, 1933, 254 § 28. (See 1933, 254 § 66.)

SECT. 11 amended, 1933, 254 § 29; revised, 1936, 92; 1939, 175. (See 1933, 254 § 66.)

SECT. 16 amended, 1937, 114.

SECT. 18, opening paragraph and clauses First and Second amended, 1933, 254 § 30; clause Second revised, 1936, 362 § 2. (See 1933, 254 § 66; 1936, 362 § 8.)

SECT. 19 amended, 1933, 254 § 31; revised, 1945, 143. (See 1933, 254 § 66.)

SECT. 20 revised, 1933, 254 § 32; amended, 1936, 376 § 1; revised, 1946, 432 § 1. (See 1933, 254 § 66.)

SECT. 21 revised, 1933, 254 § 33; 1936, 376 § 2; second sentence amended, 1945, 624 § 7; first three sentences stricken out and five sentences inserted, 1946, 432 § 2. (See 1933, 254 § 66.)

SECT. 23, first paragraph amended, 1951, 798 § 7; 1953, 654 § 29; 1948, 576; paragraph added at end, 1938, 175 § 2; 1949, 104 § 1. Temporarily affected, 1954, 43. (See 1951, 798 § 8; 1952, 359; 1953, 119.)

SECT. 23C added, 1952, 578 § 1 (providing for separate school tax rates); first paragraph revised, 1954, 460 § 1; "School percentage" defined, 1954, 460 § 2.

SECT. 25, first sentence revised, 1950, 257; amended, 1953, 654 § 30; sentence added at end, 1949, 104 § 2.

SECT. 27 amended, 1936, 118 § 2. (See 1936, 118 § 3.)

SECT. 29, last three sentences revised, 1933, 254 § 34. (See 1933, 254 § 66.)

SECT. 33 amended, 1933, 254 § 35; first sentence revised, 1954, 459 § 2. (See 1933, 254 § 66.)

SECT. 38A added, 1952, 614 § 2 (relative to the valuation for taxation of natural gas or petroleum pipe lines); amended, 1953, 654 § 31. (See 1952, 614 § 3.)

SECT. 39 amended, 1933, 254 § 36; 1939, 451 § 22; revised, 1953, 468, 654 § 32. (See 1933, 254 § 66.)

SECT. 40 amended, 1953, 654 § 33.

SECT. 41 amended, 1933, 254 § 37; 1953, 654 § 34. (See 1933, 254 § 66.)

SECT. 42 amended, 1953, 654 § 35.

SECT. 43, first sentence revised, 1948, 112 § 1.

SECT 45 amended, 1933, 254 § 38; first sentence revised, 1948, 112 § 2; form appended to section amended, 1933, 254 § 39. (See 1933, 254 § 66.)

SECT. 47 amended, 1933, 254 § 40. (See 1933, 254 § 66.)

SECT. 48 revised, 1947, 84.

SECT. 49 amended, 1933, 254 § 41; first sentence revised, 1948, 112 § 3. (See 1933, 254 § 66.)

SECT. 50 revised, 1948, 112 § 4.

SECT. 54 revised, 1954, 444 § 1. (See 1954, 444 § 5.)

SECT. 57 amended, 1933, 151 § 1; revised, 1933, 254 § 42; 1935, 158 § 1; amended, 1937, 203 § 1; revised, 1938, 330 § 1; 1941, 258 § 1; first two sentences revised, 1947, 522 § 1; first sentence revised, 1949, 265 § 1; fourth and fifth sentences stricken out and three sentences inserted, 1947, 99 § 1; sentence added at end, 1949, 278 § 1. (See

1933, 151 § 2, 254 § 66; 1935, 158 § 2; 1937, 203 § 2; 1938, 330 § 2; 1947, 99 § 2; 522 § 2; 1949, 265 § 2, 278 § 2.)

SECT. 59, sentence added at end, 1933, 165 § 1; section revised, 1933, 254 § 43, 266 § 1; 1934, 136 § 2; amended, 1935, 187 § 1; revised, 1939, 250 § 1; first sentence revised, 1943, 166 § 1; 1945, 621 § 4; 1946, 199 § 1. (See 1933, 254 § 66, 266 § 2; 1934, 136 § 3; 1935, 187 § 2; 1946, 199 § 2; 1949, 277; 1950, 165.) Temporarily affected, 1953, 568.

SECT. 60 revised, 1941, 209; 1945, 620.

SECT. 61, last sentence revised, 1933, 165 § 2.

SECT. 61A added, 1935, 276 § 2 (providing for adequate discovery in proceedings for tax abatement).

SECT. 63 amended, 1943, 79.

SECT. 64, first paragraph amended, 1933, 130 § 1; second paragraph amended, 1935, 218 § 2; section revised, 1937, 400 § 6; 1938, 478 § 1; first sentence amended, 1939, 31 § 6; first paragraph revised, 1945, 621 § 5; second paragraph amended, 1939, 366 § 2; 1943, 248. (See 1937, 400 §§ 1-5, 7.)

SECT. 65 amended, 1933, 130 § 2, 167 § 1; revised, 1938, 478 § 2; 1939, 31 § 7; first sentence revised, 1945, 621 § 6.

SECT. 65A added, 1932, 218 § 1 (providing that the sale or taking of real property for payment of unpaid taxes thereon shall not prejudice proceedings for the abatement of such taxes); revised, 1933, 325 § 18. (See 1932, 218 § 2; 1933, 325 § 19.)

SECT. 65B added, 1938, 478 § 3 (relative to appeals to the appellate tax board from the refusal of assessors to abate certain taxes on real estate); revised, 1945, 621 § 7.

SECT. 65C added, 1953, 476 § 1 (providing for late entry of certain appeals to the appellate tax board). (See 1953, 476 § 2.)

SECT. 69 amended, 1935, 218 § 3; 1939, 366 § 3.

SECT. 70A added, 1945, 351 § 1 (regulating the procedure after abatement of a local tax, assessment, rate or charge).

SECT. 73 amended, 1933, 254 § 44; 1953, 654 § 36. (See 1933, 254 § 66.)

SECT. 74 amended, 1933, 254 § 45; 1939, 24 § 3; 1945, 137. (See 1933, 254 § 66.)

SECT. 75 amended, 1934, 104; first sentence revised, 1946, 339.

SECT. 77 revised, 1945, 333.

SECT. 78 amended, 1941, 258 § 5.

SECT. 79 amended, 1938, 150 § 1; last sentence revised, 1946, 251 § 2. (See 1946, 251 § 3.)

SECT. 83 amended, 1933, 254 § 46; 1939, 24 § 4. (See 1933, 254 § 66.)

SECT. 84 amended, 1933, 254 § 47. (See 1933, 254 § 66.)

SECT. 85 amended, 1933, 254 § 48; repealed, 1945, 271. (See 1933, 254 § 66.) Affected, 1941, 609.

SECT. 86 amended, 1933, 254 § 49. (See 1933, 254 § 66.)

Chapter 60. — Collection of Local Taxes.

SECT. 1, third paragraph revised, 1933, 164 § 1; last two paragraphs amended, 1943, 37 § 1.

SECT. 3 revised, 1933, 254 § 50; sentence inserted after first sentence, 1954, 444 § 2; amended, 1941, 258 § 2; 1943, 37 § 2; sentence inserted after third sentence, 1943, 166 § 2. (See 1933, 254 § 66; 1954, 444 § 5.)

SECT. 3A added, 1934, 136 § 1 (requiring that certain information

relative to abatement or exemptions be included in tax bills); amended, 1936, 156; revised, 1943, 166 § 3; 564 § 1 (providing that additional information be included in certain tax bills issued subsequent to the termination of the present war); sentence added at end, 1952, 578 § 2; section revised, 1954, 444 § 3. (See 1934, 136 § 3; 1943, 564 § 2; 1949, 277; 1954, 444 §§ 4, 5.)

SECT. 3B added, 1935, 322 § 2 (relative to the suspension of payment of certain assessments payable by certain persons entitled to exemption from local taxes).

SECT. 4 revised, 1939, 342 § 5.

SECT. 5 revised, 1933, 168 § 2; amended, 1941, 258 § 3.

SECT. 13, sentence added at end, 1937, 143 § 5; section revised, 1939, 44; 1941, 308.

SECT. 15, first paragraph amended, 1934, 151 § 2; 1935, 252 § 1; section revised, 1943, 179; 1952, 398.

SECT. 15A added, 1935, 252 § 2 (further regulating charges and fees for the collection of poll taxes); revised, 1948, 386.

SECT. 16 revised, 1933, 168 § 1; amended, 1933, 254 § 51. (See 1933, 168 § 4, 254 § 66.)

SECT. 18 repealed, 1932, 54 § 1.

SECT. 22 revised, 1933, 254 § 52; first sentence revised, 1947, 278; affected, 1933, 308. (See 1933, 254 § 66.)

SECT. 22A added, 1941, 573 § 1 (relative to bills for taxes on parcels of real estate and payments on account thereof). (See 1941, 573 § 2.)

SECT. 23 revised, 1932, 197 § 1; fourth sentence revised, 1952, 388; two sentences added at end, 1943, 478 § 3; fifth sentence amended, 1954, 487 § 2A. (See 1954, 487 § 3.)

SECT. 34, first sentence amended, 1947, 313.

SECT. 35 revised, 1938, 150 § 2; 1946, 251 § 1. (See 1946, 251 § 3.)

SECT. 37 amended, 1933, 254 § 53, 325 § 1; 1934, 131 § 2; revised, 1934, 169; amended, 1935, 269; 1936, 146; last sentence revised, 1941, 84 § 1; section revised, 1943, 478 § 1. (See 1933, 254 § 66; 1934, 131 § 3; 1941, 84 § 2.)

SECT. 37A added, 1943, 478 § 2 (relative to the continuance of local tax liens during the existence of legal impediments to sales or takings thereunder).

SECT. 38 amended, 1933, 254 § 54, 325 § 2. (See 1933, 254 § 66, 325 § 21.)

SECT. 39 amended, 1933, 325 § 3.

SECT. 42 revised, 1933, 164 § 2.

SECT. 43, last sentence revised, 1932, 54 § 2; section amended, 1935, 183, 236.

SECT. 45 amended, 1933, 325 § 4; 1937, 209; 1938, 339 § 1.

SECT. 46, paragraph added at end, 1934, 131 § 1.

SECT. 48 amended, 1933, 325 § 5. (See 1933, 325 § 20.)

SECT. 50 revised, 1933, 325 § 6; amended, 1935, 414 § 1; 1936, 93 § 2; amended, 1941, 319 § 1. (See 1935, 414 § 4; 1941, 319 §§ 3, 4.)

SECT. 50A added, 1934, 154 § 2 (providing for protection of interests in real estate held under tax sales or takings).

SECT. 50B added, 1946, 185 (requiring cities and towns to appropriate or provide sums necessary for foreclosure of tax titles by proceedings in the land court).

SECT. 51 amended, 1933, 254 § 55. (See 1933, 254 § 66.)

SECT. 52 revised, 1936, 392 § 1.

SECT. 53 revised, 1933, 164 § 3. (See 1933, 325 § 20.)

SECT. 54 amended, 1933, 325 § 7; 1938, 339 § 2.

SECT. 55 amended, 1933, 325 § 8.

SECT. 58 revised, 1932, 2; 1939, 250 § 2.

SECT. 59 amended, 1933, 254 § 56. (See 1933, 254 § 66.)

SECT. 60 revised, 1945, 130.

SECT. 61 revised, 1933, 325 § 9; amended, 1934, 48; 1936, 93 § 1. (See 1933, 325 § 20.)

SECT. 61A added, 1943, 188 (relative to taking for nonpayment of taxes lands subject to tax titles held by municipalities when the assessment unit is changed).

SECT. 62 revised, 1933, 325 § 10; first paragraph amended, 1934, 218; same paragraph revised, 1935, 414 § 2; second paragraph revised, 1935, 278; section revised, 1936, 392 § 2; second paragraph amended, 1941, 231; sentence inserted before last sentence in second paragraph, 1947, 133; paragraph inserted after the second paragraph, 1938, 415 § 5. (See 1935, 414 § 4.)

SECT. 63 amended, 1933, 325 § 11; revised, 1936, 392 § 3.

SECT. 65 amended, 1933, 325 § 12; 1938, 305.

SECT. 66 amended, 1935, 224 § 1. (See 1935, 224 § 6.)

SECT. 67 amended, 1935, 224 § 2. (See 1935, 224 § 6.)

SECT. 68 amended, 1935, 224 § 3; paragraph added at end, 1935, 354 § 1; section amended, 1935, 414 § 3. (See 1935, 224 § 6, 354 § 3, 414 § 4.)

SECT. 69 amended, 1935, 224 § 4; sentence added at end, 1945, 226 § 1. (See 1935, 224 § 6.)

SECT. 69A added, 1945, 226 § 2 (relative to the conclusiveness of decrees foreclosing tax titles).

SECT. 70 amended, 1935, 224 § 5. (See 1935, 224 § 6.)

SECT. 71 amended, 1941, 319 § 2. (See 1941, 319 §§ 3, 4.)

SECT. 75 amended, 1936, 189 § 1.

SECT. 76 revised, 1935, 318 § 1; amended, 1936, 189 § 2. (See 1935, 318 §§ 2, 8.)

SECT. 76A added, 1935, 354 § 2 (providing for redemption in part from tax sales in certain cases); paragraph added at end, 1939, 181; amended, 1953, 674 § 10. (See 1935, 354 § 3.)

SECT. 76B added, 1938, 415 § 6 (relative to the effect of errors or irregularities in respect to water rates and charges included in a tax title account).

SECT. 76C added, 1945, 268 (providing for notice to certain municipal officers of certain action in connection with tax titles).

SECT. 77, paragraph added at end, 1938, 339 § 3; amended, 1953, 654 § 37.

SECT. 77A added, 1945, 78 (relative to recording of deeds of cities and towns conveying land acquired through foreclosure of tax titles).

SECT. 77B added, 1947, 224 § 1 (making permanent certain temporary provisions of law relative to certain land acquired by municipalities). (See 1947, 224 § 2.) [For prior temporary legislation, see 1938, 358; 1939, 123; 1941, 296.]

SECT. 78 amended, 1933, 325 § 13; repealed, 1936, 194. (See 1933, 325 § 20.)

SECT. 79, second paragraph amended, 1933, 325 § 14; 1935, 173 § 1; section revised, 1941, 594 § 1.

SECT. 80 amended, 1933, 325 § 15; revised, 1935, 173 § 2; amended, 1941, 594 § 2. (See 1939, 123; 1941, 296.)

SECTS. 80A and 80B added, 1941, 594 § 3 (relative to the validity of title acquired at sales of lands of low value held by cities and towns under tax titles).

SECT. 80B revised, 1946, 302.

SECT. 82 amended, 1945, 267 § 1.

SECT. 83 amended, 1945, 267 § 2.

SECT. 84 revised, 1935, 260.

SECT. 84A revised, 1933, 325 § 16; 1935, 181 § 1. (See 1935, 181 § 2.)

SECT. 92 revised, 1933, 82 § 1; amended, 1934, 259 § 1.

SECT. 93 revised, 1943, 199; last sentence revised, 1945, 397 § 2. (See 1945, 397 § 3.)

SECT 95 revised, 1933, 325 § 17; amended, 1934, 315 § 2; revised, 1935, 248 § 3; amended, 1939, 451 § 23; 1941, 380 § 6; sentence added at end, 1943, 107; revised, 1949, 202. (See 1934, 315 § 3.)

SECT. 97 revised, 1934, 151 § 1.

SECT. 104 revised, 1937, 43.

SECT. 105 revised, 1933, 168 § 3; 1941, 258 § 4.

Form 2 in schedule at end of chapter repealed, 1932, 54 § 1; schedule of forms at end of chapter stricken out, 1933, 168 § 3.

Chapter 60A. — Excise Tax on Registered Motor Vehicles in Lieu of Local Tax.

For legislation exempting certain disabled veterans from payment of certain motor vehicle excise taxes and registration fees, see 1948, 368.

SECT. 1, first paragraph amended, 1936, 384 § 1; last paragraph amended, 1936, 384 § 2; paragraph added at end, 1938, 111; section revised, 1938, 480 § 1; table revised, 1953, 653; third paragraph revised, 1953, 654 § 38; fourth paragraph amended, 1941, 718 § 1; revised, 1949, 342; amended, 1950, 666 § 1; 1951, 736 § 4; paragraph inserted after fourth paragraph, 1949, 401; same paragraph revised, 1950, 731; 1954, 548; sixth paragraph revised, 1953, 388; last paragraph revised, 1947, 644; 1952, 412; paragraph added at end, 1951, 165; section revised, 1954, 640 § 1. (See 1941, 718 § 2; 1951, 736 § 5.)

SECT. 1A added, 1949, 484 (providing for but one excise tax on a motor vehicle in each year in certain cases); sentence added at end, 1952, 285.

SECT. 2 revised, 1936, 384 § 3; 1938, 480 § 2; amended, 1939, 366 § 4; 1950, 666 § 2; 1952, 400; 1953, 654 § 39; 1954, 373 § 1; revised, 1954, 640 § 2. (See 1954, 373 § 2.)

SECT. 2A added, 1938, 492 § 1 (providing for the suspension of certificates of registration in cases of nonpayment of the excise on registered motor vehicles); last sentence stricken out, 1943, 18; second sentence revised, 1945, 443; section revised, 1953, 339 § 1. (See 1953, 339 § 2.)

SECT. 3 revised, 1936, 384 § 4; 1938, 480 § 3.

SECT. 4 revised, 1938, 480 § 4, 492 § 2.

SECT. 5 stricken out, 1953, 654 § 40.

SECT. 6 amended, 1936, 384 § 5; revised, 1938, 480 § 5.

Chapter 61. — Classification and Taxation of Forest Lands and Forest Products (former title Taxation of Forest Products and Classification and Taxation of Forest Lands).

Chapter stricken out, and new chapter 61 (with new title) inserted, 1941, 652 § 1. (See 1941, 652 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 61 as so inserted:

SECT. 1, first paragraph stricken out and two paragraphs inserted, 1943, 461 § 1. (See 1943, 461 §§ 4 and 5.)

SECT. 2, second schedule and all preceding such schedule revised, 1943, 461 § 2. (See 1943, 461 §§ 4 and 5.)

SECT. 6 amended, 1943, 461 § 3. (See 1943, 461 §§ 4 and 5.)

Chapter 62. — Taxation of Incomes.

For legislation establishing an additional tax upon personal incomes to provide funds for old age assistance, see 1941, 729 §§ 9, 15; 1948, 503 § 5; 1949, 674 § 2; 1951, 386 § 2; 1953, 246 § 6. (See also 1951, 800 §§ 1, 2, 3.)

For prior temporary legislation relative to the taxation of dividends of certain corporations, see 1933, 307, 357; 1935, 489; 1936, 82 § 1; 1937, 395; 1938, 489 §§ 2-5; 1939, 373; 1941, 331; 1943, 285. (See also 1945, 735.)

For temporary legislation providing for additional taxes upon personal incomes, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 § 19; 1941, 416 §§ 1, 3; 1943, 482 §§ 1, 3, 4; 1945, 557 §§ 1, 3, 4; 1948, 503 §§ 1, 4, 6; 1949, 674 § 2; 1951, 386 § 2; 1953, 246 § 2. (See also 1951, 800 §§ 1, 2, 3; 1953, 246 §§ 5, 15.)

For temporary legislation relative to the payment of income taxes by persons who served in the armed forces of the United States during the existing war, see 1946, 604.

For temporary legislation providing that income taxes shall be due and payable when the tax return therefor is required to be filed, see 1950, 816 § 2; affected, 1951, 750; 1952, 623; 1953, 246 § 5; 1954, 70 § 2. (See 1950, 816 § 4.)

SECT. 1, first sentence revised, 1954, 679 § 1; subsection (a), paragraph Fifth added, 1946, 539; subsection (b) revised, 1945, 735 § 1; subsection (c), paragraph Third added, 1935, 489 § 6; subsection (e) amended, 1935, 489 § 7; subsection (g) revised, 1954, 545; subsection (h) added, 1954, 679 § 2. (See 1945, 735 § 5; 1954, 679 § 7.)

SECT. 3 revised, 1943, 45 § 1.

SECT. 5, first sentence of paragraph (a) revised, 1954, 679 § 3; paragraph (b) amended, 1935, 489 § 8; same paragraph revised, 1939, 486 § 1; first sentence stricken out and three sentences inserted, 1954, 679 § 4; paragraph (c) revised, 1934, 363 § 1; 1935, 481 § 1; amended and paragraph added at end, 1954, 599 § 1; subsection (f) and (g) added, 1954, 679 § 5. (See 1934, 363 § 2; 1935, 481 § 2; 1939, 486 § 3; 1954, 679 § 7.)

SECT. 6, first paragraph revised, 1954, 611 § 1; clause (a), sentence added at end, 1947, 485 § 1; clause (g) revised, 1935, 436 § 1; clause (h)

revised, 1943, 511; 1951, 800 § 4; 1953, 514; 1954, 251 § 1, 657 § 1. (See 1935, 436 § 2; 1947, 485 § 3; 1951, 800 § 6; 1954, 251 § 2, 611 § 3, 657 § 2.)

SECT. 7 amended, 1953, 654 § 41; second and third paragraphs revised, 1954, 599 § 2.

SECTS. 7A and 7B added, 1935, 438 § 1 (relative to income taxation of gains from certain transactions in real property).

SECT. 7B amended, 1953, 654 § 42.

SECT. 8, paragraph (a) revised, 1951, 800 § 5; paragraph (e) revised, 1954, 560; paragraph (g) amended, 1947, 83 § 2; 1952, 555; paragraph (h) added, 1945, 625 § 4; paragraphs (i) and (j) added, 1947, 485 § 2; paragraph (k) added, 1954, 443. (See 1947, 485 § 3; 1951, 800 § 6; 1953, 208.)

SECT. 10 amended, 1954, 387 § 1. (See 1954, 387 § 2.)

SECT. 12A added, 1954, 679 § 6 (relative to the exemption of certain unearned income). (See 1954, 679 § 7.)

SECT. 16 amended, 1953, 654 § 43.

SECT. 18. See Sect. 18 of Chapter 58 in this Table.

SECT 21A added, under caption "PRESUMPTION AS TO INHABITANCY", 1936, 310 (providing that individuals under certain circumstances shall be presumed to be inhabitants of the Commonwealth for income tax purposes); repealed, 1938, 489 § 8.

SECT. 22 revised, 1939, 486 § 2; clause (a) revised, 1954, 611 § 2; paragraph added at end, 1954, 648 § 1. (See 1939, 486 § 3; 1954, 611 § 3.)

SECT. 24 revised, 1943, 45 § 2; amended, 1954, 70 § 1. (See 1954, 70 § 2.)

SECT. 25, last sentence revised, 1947, 322 § 1.

SECT. 25A added, 1935, 438 § 3 (relative to returns of taxable gains from certain transactions in real property).

SECT. 29 revised, 1954, 648 § 2.

SECT. 30 amended, 1935, 152; first sentence amended, 1951, 452 § 1.

SECT. 31 revised, 1943, 45 § 3.

SECT. 32, third sentence amended, 1951, 452 § 2; 1953, 654 § 44.

SECT. 33, first paragraph revised, 1943, 45 § 4; 1954, 391 § 1; second paragraph revised, 1945, 735 § 2; paragraph added, 1932, 186. (See 1945, 735 § 5; 1954, 391 § 2.)

SECT. 34 repealed, 1947, 483 § 2.

SECT. 36 amended, 1933, 167 § 2.

SECT. 37 revised, 1933, 350 § 1; amended, 1949, 698 § 1; sentence inserted after second sentence, 1954, 605 § 1. (See 1933, 350 § 9; 1949, 698 § 2; 1954, 605 § 2.)

SECT. 37A added, 1933, 350 § 2 (providing for the payment of income taxes in two installments); amended, 1947, 322 § 2; revised, 1954, 69; temporarily affected, 1950, 816 § 2; 1951, 750; 1952, 623 § 2; 1953, 246 § 5. (See 1933, 350 § 9; 1950, 816 § 4.)

SECT. 38 stricken out, 1953, 654 § 45.

SECT. 39, first sentence revised, 1933, 350 § 3. (See 1933, 350 § 9.)

SECT. 41 revised, 1932, 152; 1933, 350 § 4. (See 1933, 350 § 9.)

SECT. 43 amended, 1933, 350 § 5; 1937, 135 § 2; first sentence stricken out and three sentences inserted, 1951, 528; section amended, 1953, 654 § 46; revised, 1954, 269. (See 1933, 350 § 9.)

SECT. 44 amended, 1953, 654 § 47.

SECT. 45 amended, 1939, 451 § 24; 1945, 523 § 2; 1953, 654 § 48.

SECT. 46 revised, 1933, 350 § 6. (See 1933, 350 § 9.)

SECT. 56 revised, 1943, 45 § 5.

SECT. 61 added, 1952, 262 (defining the term "received" as relates to income).

Chapter 63. — Taxation of Corporations.

SECT. 1, paragraph defining "Bank" revised, 1943, 472; paragraph defining "Net income" revised, 1933, 327 § 1. (See 1933, 327 § 7.)

SECT. 2 amended, 1933, 327 § 2; 1939, 451 § 25; 1941, 509 § 3; 1953, 654 § 49; temporarily affected, 1951, 386 § 5; 1953, 246 § 9. (See 1933, 327 § 7; 1941, 509 § 9.)

SECT. 3 amended, 1933, 254 § 58; 1934, 323 § 5; 1945, 161 § 2; 1953, 654 § 50. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 4 amended, 1939, 368; 1941, 509 § 4. (See 1941, 509 § 9.)

SECT. 5 amended, 1933, 254 § 59; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 6 repealed, 1934, 323 § 1. (See 1934, 323 § 11.)

SECT. 12, paragraph (c) amended, 1937, 274 § 1; paragraph (h) added, 1934, 362; paragraph (i) added, 1948, 544 § 7A; paragraphs (j and (k) added, 1953, 292; paragraph (l) added, 1954, 354; paragraph (m) added, 1954, 436; paragraph (n) added, 1954, 543.

SECT. 18 revised, 1939, 447 § 1; 1948, 486 § 1; amended, 1954, 515 § 1. (See 1939, 447 § 3; 1948, 486 §§ 2-4.)

SECT. 18A amended, 1939, 447 § 2; 1953, 654 § 51. (See 1939, 447 § 3.)

SECT. 20 amended, 1941, 509 § 5; revised, 1943, 531 § 1; amended, 1953, 654 § 52. (See 1941, 509 § 9; 1943, 531 §§ 2, 3, 7; 1948, 587.)

SECT. 22 revised, 1945, 721 § 1; amended, 1946, 387 § 1; temporarily affected, 1951, 386 § 6; 1953, 246 § 6. (See 1945, 721 § 5; 1946, 387 § 7.)

SECT. 23 revised, 1945, 721 § 2; amended, 1946, 387 § 2. (See 1945, 721 § 5; 1946, 387 § 7.)

SECT. 24 amended, 1943, 531 § 4; revised, 1945, 721 § 3. (See 1943, 531 § 7; 1945, 721 § 5.)

SECT. 25 amended, 1943, 531 § 5; 1945, 721 § 4; 1953, 654 § 53. (See 1943, 531 § 7; 1945, 721 § 5.)

SECT. 26 amended, 1946, 387 § 3; 1953, 654 § 54. (See 1946, 387 § 7.)

SECT. 27 amended, 1946, 387 § 4. (See 1946, 387 § 7.)

SECT. 28 amended, 1939, 451 § 27; 1941, 509 § 6; revised, 1943, 531 § 6; paragraph inserted after second paragraph, 1945, 342; second and third paragraphs revised, 1946, 387 § 5; third paragraph revised, 1950, 427; paragraph inserted after third paragraph, 1953, 633; last paragraph amended, 1953, 654 § 55. (See 1941, 509 § 9; 1943, 531 § 7; 1946, 387 § 7.)

SECT. 29A added, 1946, 387 § 6 (relative to the taxation of marine and fire and marine insurance companies). (See 1946, 387 § 7.)

SECT. 29B added, 1947, 488 § 4 (relative to the taxation of the exchange of reciprocal or inter-insurance contracts).

SECTS. 30-51. For temporary legislation providing for further additional taxes levied under these sections, see 1947, 598; 1948, 574; 1949, 674; 1950, 608; 1951, 386; 1953, 246.

SECT. 30-60. For legislation establishing an additional tax under these sections to provide funds for old age assistance, see 1941, 729 §§ 9, 15.

For temporary legislation providing for additional taxes levied under these sections, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 § 19; 1941, 416 §§ 1, 3; 1943, 482 §§ 1, 3, 4; 1945, 557 §§ 1, 3, 4; 1948, 503 §§ 1, 4, 6; 574.

SECT. 30, paragraph 2 revised, 1943, 459 § 1; paragraph 3, subdivision (a) revised, 1939, 24 § 5; sentence added at end, 1947, 622 § 1; paragraph contained in lines 48-51 amended, 1933, 58 § 3, revised, 1943, 459 § 2; paragraph contained in lines 52-69 revised, 1934, 237 § 1; paragraph 4, subdivision (a) revised, 1939, 24 § 6; sentence added at end, 1947, 622 § 2; paragraph contained in lines 70-74 amended, 1933, 58 § 4; revised, 1934, 237 § 1; 1943, 459 § 3; paragraph 5 revised, 1933, 327 § 3. (See 1933, 58 § 5, 327 § 7; 1934, 237 § 2; 1947, 622 § 5.)

SECT. 32 revised, 1933, 342 § 1; amended, 1936, 362 § 5; 1939, 363 § 1. (See 1933, 342 § 6; 1936, 362 § 8; 1939, 363 § 2.)

SECT. 32A amended, 1933, 342 § 2. (See 1933, 342 § 6.)

SECT. 33 revised, 1933, 303 § 1. (See 1933, 303 § 3.)

SECT. 34 amended, 1933, 327 § 4. (See 1933, 327 § 7.)

SECT. 35 revised, 1933, 58 § 1; amended, 1953, 654 § 56.

SECT. 36 revised, 1933, 327 § 5; amended, 1935, 473 § 2; second sentence revised, 1950, 506; first two sentences stricken out and sentence inserted, 1954, 270 § 1; section amended, 1953, 654 § 57; paragraph added at end, 1954, 270 § 2. (See 1933, 327 § 7; 1935, 473 § 7.)

SECT. 38, paragraph 10 added at end, 1933, 342 § 3. (See 1933, 342 § 6.)

SECT. 38B, first sentence amended, 1953, 654 § 58; last paragraph amended, 1935, 473 § 3. (See 1935, 473 § 7.) [For temporary legislation affecting taxation, during the years 1934 to 1946, inclusive, of corporations subject to this section, see 1934, 317 § 1; 1935, 489 § 4; 1937, 395 § 5; 1938, 489 § 6; 1939, 373 § 5; 1941, 331 § 5; 1943, 285 § 5.]

SECT. 38C revised, 1937, 383 § 1. (See 1937, 383 § 3.)

SECT. 39, subsection (1) revised, 1936, 362 § 6; last paragraph amended, 1933, 327 § 6; new paragraph added at end, 1933, 342 § 4. (See 1933, 327 § 7, 342 § 6; 1936, 362 § 8.)

SECT. 39A revised, 1933, 303 § 2; first paragraph amended, 1934, 134. (See 1933, 303 § 3.)

SECT. 40 revised, 1933, 58 § 2.

SECT. 42, last sentence amended, 1932, 180 § 11; section revised, 1933, 342 § 5; last sentence stricken out, 1953, 654 § 59. (See 1933, 342 § 6.)

SECT. 42B revised, 1937, 383 § 2. (See 1937, 383 § 3.)

SECT. 43 repealed, 1945, 735 § 3. (See 1933, 307 § 9A; 1935, 489 § 2; 1937, 395 § 2; 1938, 489 § 3; 1939, 373 § 2; 1941, 331 § 2; 1943, 285 § 2.)

SECT. 44 amended, 1935, 473 § 4; 1936, 362 § 7. (See 1935, 473 § 7; 1936, 362 § 8.)

SECT. 45 amended, 1933, 195 § 1; revised, 1935, 473 § 5; amended, 1943, 395; 1950, 505. (See 1933, 195 § 2; 1935, 473 § 7.)

SECT. 46 revised, 1954, 193.

SECT. 47 stricken out, 1953, 654 § 60.

SECT. 48 revised, 1935, 473 § 1. (See 1935, 473 § 7.)

For temporary legislation providing that certain taxes payable under this section shall be due and payable when the tax return therefor is required to be filed, see 1950, 816; affected, 1951, 750; 1952, 623 § 2; 1953, 246 § 5.

SECT. 49 amended, 1953, 654 § 61.

SECT. 51, first sentence stricken out and three sentences inserted, 1951, 529; section amended, 1953, 654 § 62; 1954, 515 § 2.

SECT. 52, second sentence amended, 1946, 394 § 1; fourth sentence amended, 1946, 394 § 2.

SECT. 52A added, 1951, 641 § 1 (relative to taxation of certain utility corporations); subdivision (1), paragraph (b) amended, 1952, 344; subdivision (4) amended, 1954, 515 § 3; clause Fifth revised, 1954, 490; subdivisions (6) and (7) amended, 1953, 654 § 63; subdivision (6) amended, 1954, 515 § 4. (See 1951, 641 §§ 18, 19.)

SECT. 53, first paragraph amended, 1933, 254 § 60; 1941, 509 § 7; 1951, 641 § 11; clause Fourth revised, 1934, 323 § 6; stricken out, 1951, 641 § 11. (See 1933, 254 § 66; 1934, 323 § 11; 1941, 509 § 9; 1951, 641 §§ 18, 19.)

SECT. 54, paragraph in lines 9-17 amended, 1933, 254 § 61; same paragraph revised, 1934, 323 § 7; last paragraph amended, 1934, 323 § 7A; section repealed, 1951, 641 § 2. (See 1933, 254 § 66; 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 55, first paragraph amended, 1936, 134; section amended, 1939, 24 § 7; second last paragraph revised, 1947, 622 § 3; section revised, 1951, 641 § 12. (See 1947, 622 § 5; 1951, 641 §§ 18, 19.)

SECT. 56A revised, 1934, 317 § 3; amended, 1951, 641 § 13. (See 1934, 317 § 4; 1951, 641 §§ 18, 19.)

SECT. 58 amended, 1951, 641 § 14. (See 1951, 641 §§ 18, 19.)

SECT. 59 amended, 1934, 323 § 8; 1951, 641 § 15. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 60 amended, 1939, 451 § 28; 1941, 509 § 8; 1954, 515 § 5; 1953, 654 § 64. (See 1941, 509 § 9.)

SECT. 67, sentence added at end, 1951, 641 § 16. (See 1951, 641 §§ 18, 19.)

SECT. 68A amended, 1939, 24 § 8; revised, 1947, 622 § 4; amended, 1954, 515 § 6. (See 1947, 622 § 5.)

SECT. 69 amended, 1951, 641 § 17. (See 1951, 641 §§ 18, 19.)

SECT. 70 revised, 1935, 473 § 6. (See 1935, 473 § 7.)

SECT. 71 amended, 1933, 167 § 3; 1939, 451 § 29; 1945, 523 § 3; 1953, 654 § 65; revised, 1954, 515 § 7.

SECT. 71A amended, 1935, 150; 1939, 451 § 30; 1953, 654 § 66.

SECT. 71B added, 1937, 135 § 3 (providing that applications for abatement or correction of taxes, made pursuant to any provision of this chapter, shall be in writing upon forms approved by the commissioner); amended, 1953, 654 § 67.

SECT. 76 revised, 1954, 461 § 1. (See 1954, 461 §§ 3, 4.)

SECT. 81 revised, 1939, 24 § 9.

Chapter 63A. — Taxation of Certain Corporations, Associations and Organizations Engaged in the Sale of Alcoholic Beverages.

For temporary legislation providing for additional taxes upon certain corporations, see 1948, 503 §§ 3, 4; 1949, 674 § 4; 1951, 386 §§ 4, 7; 1953, 246 §§ 8, 11, 15.

For temporary legislation providing that certain taxes under this chapter shall be due and payable when the tax return therefor is required to be filed, see 1950, 816; affected, 1951, 750; 1952, 623; 1953, 246.

New chapter inserted, 1947, 632 § 1. (See 1947, 632 § 3.)

SECT. 2 amended, 1953, 654 § 68.

SECT. 3 amended, 1953, 654 § 69.

SECT. 5 amended, 1953, 654 § 70.

Chapter 64. — Taxation of Stock Transfers.

For prior changes see Table of Changes contained in Acts and Resolves of 1953.

Chapter repealed, 1954, 353 § 1. (See 1954, 353 §§ 2, 3.)

Chapter 64A. — Taxation of Sales of Gasoline and Certain Other Motor Vehicle Fuel.

Chapter affected, 1932, 248; 1935, 336; 1936, 398; 1938, 431 § 2; 1939, 408; 1941, 330; 1943, 270; 1945, 571; 1949, 744 § 3.

SECT. 1, paragraph (d) revised, 1936, 357 § 1; amended, 1948, 492 § 1; revised, 1951, 414 § 1; sentence defining "Diesel engine fuel" added, 1947, 666 § 1; paragraph (g) amended, 1941, 490 § 16. (See 1936, 357 § 3; 1947, 666 §§ 2A, 4.)

SECT. 3, last sentence amended, 1943, 420 § 1.

SECT. 4 revised, 1938, 431 § 1, paragraph added at end, 1945, 556; section revised, 1949, 744 § 1; second sentence revised, 1951, 699 § 2; 1952, 556 § 12; section amended, 1953, 654 § 72. (See 1951, 699 §§ 3-5; 1952, 556 §§ 13-15.)

SECT. 4A added, 1947, 666 § 2 (providing for the taxation of Diesel engine fuel); next to last sentence revised, 1948, 464; section stricken out and sections 4A-4E inserted, 1949, 744 § 2 (relative to the sale, distribution and rate of tax on Diesel engine fuel). (See 1947, 666 §§ 2A, 4.)

SECT. 4A revised, 1951, 414 § 2.

SECT. 5 amended, 1936, 357 § 2; 1939, 451 § 32; revised, 1943, 420 § 2; amended, 1953, 654 § 73. (See 1936, 357 § 3.)

SECT. 7 revised, 1943, 420 § 3; first sentence revised, 1948, 492 § 2; amended, 1952, 377 § 3; section amended, 1949, 200; 1953, 654 § 74.

SECT. 9 amended, 1953, 654 § 75.

SECT. 10 amended, 1939, 451 § 33; revised, 1943, 420 § 4; second sentence revised, 1953, 654 § 76.

SECT. 12 revised, 1941, 490 § 17.

Chapter 64B. — Excise upon Charges for Meals served to the Public.

New chapter inserted, 1941, 729 § 17. (See 1941, 729 § 15.)

SECT. 1, definition of "taxable charge," revised, 1945, 663 § 1; 1946, 326 § 1; 1949, 725; 1953, 627 § 1.

SECT. 2 revised, 1945, 663 § 2; 1946, 326 § 2; amended, 1953, 654 § 77.

SECT. 2A added, 1953, 627 § 2 (exempting certain meals from the excise imposed by this chapter).

SECT. 3 revised, 1945, 663 § 3; 1946, 326 § 3.

SECT. 4 revised, 1953, 617.

SECT. 5 amended, 1953, 654 § 78.

SECT. 6, paragraph added at end, 1943, 521 § 2; amended, 1948, 658; 1953, 654 § 79; second paragraph revised, 1954, 503 § 1. (See 1954, 503 § 2.)

SECT. 7 revised, 1946, 564; next to last sentence stricken out and two sentences inserted, 1953, 654 § 80.

SECT. 10 amended, 1953, 654 § 81.

Chapter 64C. — Cigarette Excise.

New chapter inserted, 1945, 547 § 1. (See 1945, 547 §§ 2, 3; 731 § 9; 1949, 771.)

For legislation providing for temporary cigarette taxes, see 1939, 454 §§ 1-18; 1941, 417, 715; 1943, 407; 1945, 731 § 9; 1949, 771; 1951, 386 § 9; 1953, 246 § 13.

For legislation providing for temporary taxes on cigars and tobacco, see 1949, 796 § 2 (see 1949, 796 § 3); repealed, 1950, 827.

SECT. 4 amended, 1953, 654 § 82.

SECT. 6 amended, 1953, 654 § 83.

SECT. 22 amended, 1953, 654 § 84.

SECT. 23 amended, 1953, 654 § 85.

SECT. 25 amended, 1953, 654 § 86.

Chapter 64D. — Excise on Deeds, Instruments and Writings.

New chapter inserted, 1951, 710 § 1. (See 1951, 710 § 2.)

SECT. 1 revised, 1953, 303.

SECTS. 3A and 3B added, 1954, 550 (establishing a fund for the purchase by registries of deeds of documentary stamps to be sold by said registries).

SECT. 4 amended, 1953, 654 § 87.

SECT. 6, second sentence stricken out and two sentences inserted, 1953, 503.

Chapter 65. — Taxation of Legacies and Successions.

For legislation establishing an additional tax upon legacies and successions to provide funds for old age assistance, see 1941, 729 §§ 9A, 15.

For temporary legislation providing for additional taxes upon legacies and successions, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 §§ 20, 22; 1941, 416 §§ 2, 3; 1943, 482 §§ 2, 3, 4; 1945, 557 §§ 2, 3, 4; 1948, 503 §§ 2, 4; 1949, 674 § 3; 1951, 386 § 3; 1953, 246 § 7.

SECT. 1, table revised, 1933, 293; 1941, 415 § 1; first sentence revised, 1941, 605 § 1; amended, 1949, 792 § 1; revised, 1950, 556; paragraph added after table, 1949, 792 § 2. (See 1941, 415 § 2, 605 § 2.)

SECT. 3 amended, 1939, 380.

SECT. 9, first sentence revised, 1952, 445 § 1; paragraph added at end, 1954, 595 § 1. (See 1954, 595 §§ 2, 3.)

SECT. 11 amended, 1949, 749.

SECT. 14 amended, 1953, 654 § 88.

SECT. 15 revised, 1948, 543 § 1. (See 1948, 543 § 2.)

SECTS. 24A-24F added, 1933, 319 (providing reciprocal relations in respect to death taxes upon estates of non-resident decedents).

SECT. 25 amended, 1939, 451 § 34; revised, 1939, 494 § 1; 1954, 572 § 1.

SECT. 26 amended, 1939, 451 § 35; revised, 1939, 494 § 2; amended, 1953, 654 § 89; revised, 1954, 572 § 2.

SECT. 27 amended, 1953, 654 § 90.

SECT. 32 amended, 1939, 451 § 36; last sentence stricken out, 1945, 523 § 4.

Chapter 65A. — Taxation of Transfers of Certain Estates.

SECT. 1, paragraph added at end, 1932, 284; second paragraph revised, 1933, 316 § 1; section amended, 1937, 420 § 1. (See 1933, 316 § 2; 1937, 420 § 4.)

SECT. 5 stricken out, and new sections 5-5B inserted, 1943, 519 § 1 (providing for the equitable apportionment in certain cases of estate taxes and the collection and payment thereof). (See 1943, 519 § 2.)

SECT. 5 revised, 1948, 605 § 1. (See 1948, 605 §§ 3, 4.)

SECT. 5A revised, 1948, 605 § 2. (See 1948, 605 §§ 3, 4.)

SECT. 6 amended, 1937, 420 § 2; last sentence revised, 1943, 471; 1945, 529; section amended, 1953, 654 § 91. (See 1937, 420 § 4.)

SECT. 7 repealed, 1937, 420 § 3. (See 1937, 420 § 4.)

Chapter 65B. — Settlement of Disputes respecting the Domicile of Decedents for Death Tax Purposes.

New chapter inserted, 1943, 428 § 1. (See 1943, 428 § 3.)

SECT. 3 amended, 1953, 654 § 92.

SECT. 4, paragraph (a) amended, 1953, 654 § 93.

Chapter 66. — Public Records.

SECT. 1 amended, 1945, 580 § 7.

SECT. 3 revised, 1936, 305; 1941, 662 § 1.

SECT. 4 amended, 1950, 310.

SECTS. 5, 7 and 16 affected, 1941, 662 § 2.

SECT. 8 amended, 1943, 128; 1949, 395 § 2. (See 1949, 395 § 3; 1950, 182, 350.)

SECT. 8A added, 1951, 56 (relative to the destruction of certain records by city and town clerks).

SECT. 10 revised, 1948, 550 § 5.

SECT. 13, sentence added at end, 1951, 200.

SECT. 15 amended, 1939, 40.

SECT. 16 revised, 1948, 550 § 6.

SECT. 17A added, 1941, 630 § 1 (making records relating to old age assistance, aid to dependent children and aid to the blind confidential); revised, 1943, 169; amended, 1945, 240 § 1; revised, 1946, 67; amended, 1948, 202; revised, 1948, 525; amended, 1953, 342.

SECT. 18 amended, 1945, 393 § 6.

Chapter 67. — Parishes and Religious Societies.

SECT. 7 revised, 1945, 28.

SECT. 40 amended, 1952, 580.

SECT. 55 added, 1953, 592 (to provide for the incorporation of churches, congregations, parishes, committees and other religious organizations under the jurisdiction of the Orthodox Church).

Chapter 68. — Donations and Conveyances for Pious and Charitable Uses.

SECT. 10, sentence added at end, 1934, 238.

SECT. 15 amended, 1946, 23; repealed, 1954, 529 § 3.

SECT. 17 added, 1954, 559 (relative to the solicitation of funds for charitable purposes).

Chapter 69. — Powers and Duties of the Department of Education.

For an act to encourage the establishment of regional and consolidated public schools and to provide financial assistance to cities and towns in the construction of school buildings, see 1948, 645; 1949, 637; 741.

SECT. 4 revised, 1952, 585 § 8.

SECT. 6 amended, 1932, 127 § 3.

SECT. 7 amended, 1935, 275; 1937, 213, 327; 1938, 315; revised, 1938, 424; amended, 1941, 351 § 6, 561; revised, 1943, 403.

SECT. 7A added, 1946, 439 § 1 (extending to certain members of the armed forces, and to veterans of World War II, university extension courses free of charge); revised, 1954, 627 § 20. (See 1946, 439 § 2; 1954, 627 §§ 65, 67.)

SECT. 7B added, 1946, 548 § 1 (relative to higher educational opportunities for children of certain deceased members or former members of the armed forces); first paragraph amended, 1948, 381; second paragraph amended, 1947, 399; 1948, 357; section revised, 1950, 758; 1951, 747; amended, 1952, 497; first paragraph revised, 1954, 627 § 21. (See 1954, 627 §§ 65, 67.)

SECT. 8 amended, 1932, 127 § 4.

SECT. 9, 442 § 1 amended, 1938.

SECT. 9A added, 1938, 442 § 2 (further regulating education in the use of English and certain other subjects adapted to fit persons for American citizenship).

SECT. 10A added, 1951, 693 (providing for the advancement of education for American citizenship).

SECT. 11 revised, 1939, 409 § 4. (See 1939, 409 §§ 1, 5.)

SECT. 13 stricken out and sections 13-13D inserted, 1951, 673 § 1. (See 1951, 673 § 8.)

SECT. 14 revised, 1951, 673 § 2.

SECT. 15, sentence added at end, 1951, 673 § 3.

SECT. 16 repealed, 1952, 345.

SECTS. 17 and 18 stricken out and section 17 inserted, 1951, 673 § 4.

SECT. 19 amended, 1943, 89 § 1; revised, 1951, 673 § 5.

SECT. 19A added, 1943, 89 § 2 (requiring reports to the director of the division of the blind of results of examinations of blind persons).

SECT. 19B added, 1945, 554 (providing for examinations by ophthalmologists of certain applicants for aid to the blind).

SECTS. 20-22 repealed, 1951, 673 § 6.

SECT. 23 revised, 1943, 526; first paragraph amended, 1947, 458; 1951, 555; paragraph inserted after first paragraph, 1951, 551; paragraph added at end, 1945, 541 § 1.

SECT. 23A added, 1938, 28 (requiring the furnishing of information to the director of the division of the blind by certain banks and other depositories).

SECT. 23B added, 1945, 541 § 2 (relative to granting aid or assistance to certain blind persons).

SECT. 24A added, 1953, 457 § 1 (providing that permits to operate vending stands in public buildings be granted to the division of the blind). (See 1953, 457 § 2.)

SECT. 25 revised, 1935, 397.

SECTS. 25A-25E added, 1938, 329 (regulating the raising of funds for the benefit of the blind).

SECT. 26, first sentence amended, 1945, 524; 1951, 673 § 6A; paragraph added at end, 1935, 286; section revised, 1952, 498 § 1.

SECT. 26A added, 1941, 630 § 2 (relative to information concerning recipients of aid to the blind).

SECT. 28 revised, 1952, 498 § 2.

SECT. 29 added, 1938, 313 (relative to instruction in lip reading for certain school children whose hearing is defective).

SECTS. 29A and 29B added, 1954, 514 § 3 (relative to the powers and duties of the division of special education for mentally retarded children).

SECTS. 30 and 31 added, 1943, 549 § 3, under caption "Board of Collegiate Authority" (relative to approval by said board of the organization of certain educational institutions and of certain amendments to their charters).

SECT. 30, sentence inserted after fifth sentence, 1953, 290.

SECTS. 32 and 33 added, 1951, 673 § 7 (relative to instruction of visually handicapped and blind children).

SECT. 33, sentence added at end, 1952, 397.

Chapter 70. — School Funds and State Aid for Public Schools (former title, School Funds and Other State Aid for Public Schools).

Chapter stricken out, and new chapter 70 (with new title) inserted, 1948, 643 § 1. (See 1948, 643 § 3; 645.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 70 as so inserted:

SECT. 3A added, 1950, 703 (providing state reimbursement for cities and towns for payment to certain teachers).

SECT. 3B added, 1950, 774 (providing state reimbursement for towns forming regional school districts); sentence added at end, 1953, 547 § 2.

SECT. 3C added, 1954, 514 § 4 (providing for reimbursement of cities and towns on account of special education for mentally retarded children).

SECT. 4, sentence added at end, 1953, 547 § 1.

SECT. 6 revised, 1951, 592 § 1. (See 1951, 592 § 2.)

SECT. 10, sentence added at end, 1950, 620.

Chapter 71. — Public Schools.

SECT. 1 amended, 1953, 137.

SECT. 2 amended, 1938, 246 § 1; revised, 1949, 468; 1952, 282.

SECT. 4 amended, 1953, 260.

SECT. 5 repealed, 1948, 643 § 2. (See 1948, 643 § 3.)

SECT. 6, second and third sentences of first paragraph stricken out, 1947, 679 § 4.

SECT. 7 amended, 1941, 590; repealed, 1947, 679 § 5.

SECT. 7A added, 1947, 679 § 1 (providing for reimbursement to cities and towns for certain expenses incurred for the transportation of pupils); first paragraph revised, 1949, 754.

SECTS. 8 and 9 repealed, 1948, 643 § 2. (See 1948, 643 § 3.)

SECT. 13A added, 1938, 241 (requiring the teaching of the Italian language in certain public high schools in certain cases).

SECT. 13B added, 1939, 311 (relative to the teaching of modern languages in certain public high schools).

SECT. 13C added, 1945, 402 (requiring the teaching of the Polish language in certain public high schools in certain cases).

SECT. 13D added, 1948, 205 (providing for motor vehicle driving education in high schools); paragraph added at end, 1954, 49.

SECT. 13E added, 1949, 99 (requiring the teaching of the Lithuanian language in public schools in certain cases).

SECTS. 14–16 stricken out and section 14–16I inserted, 1949, 638 § 1 (relative to the formation of regional school districts). (See 1949, 638 § 2.)

SECT. 14 revised, 1951, 331 § 1.

SECT. 14A amended, 1951, 331 § 2.

SECT. 14B amended, 1951, 331 § 3; clause (c) revised, 1952, 471 § 1. (See 1952, 471 § 2.)

SECT. 14C added, 1954, 214 (authorizing certain towns to sell, lease or license school buildings to a regional school district).

SECT. 15, first paragraph revised, 1951, 331 § 4.

SECT. 16C revised, 1952, 470.

SECT. 16F. See 1952, 601.

SECT. 19 amended, 1939, 461 § 1.

SECT. 20 revised, 1951, 680.

SECT. 21 amended, 1945, 133 § 1.

SECTS. 26A–26F added, 1946, 165 § 1 (providing for extended school services for certain children of certain employed mothers). (See 1946, 165 §§ 2, 3.)

SECT. 30A added, 1935, 370 § 1 (requiring that an oath or affirmation be taken and subscribed to by certain professors, instructors and teachers in the colleges, universities and schools of the commonwealth); sentence added at end, 1948, 160 § 2. (See 1935, 370 §§ 2, 2A, 3.)

SECT. 34 revised, 1939, 294.

SECTS. 34A and 34B added, 1943, 547 (requiring persons operating or maintaining educational institutions to furnish, upon request, certain transcripts of records).

SECT. 34C added, 1951, 67 (relative to granting high school diplomas to certain students who enter the armed forces); revised, 1954, 91.

SECTS. 38A–38F added, 1941, 676 § 2 (relative to occupational guidance and placement). (See 1941, 646.)

SECT. 38G added, 1951, 278 § 1 (to establish standards of certification of teachers in the public schools); first two paragraphs stricken out and one paragraph inserted, 1952, 530; revised, 1953, 264. (See 1951, 278 § 2.)

SECT. 40 amended, 1941, 507; 1943, 494; revised, 1945, 727 § 1; two sentences added at end, 1946, 527 § 1; section revised, 1949, 684; first sentence revised, 1951, 499; 1952, 69. (See 1945, 727 § 2; 1946, 527 § 2, 3.)

SECT. 41 revised, 1947, 597 § 1; sentence added at end, 1950, 283; section revised, 1953, 372.

SECT. 42 revised, 1934, 123; first sentence revised, 1947, 597 § 2; sentence inserted after second sentence, 1953, 244; sentence inserted in line 27, 1946, 195.

SECT. 42A added, 1945, 330 (giving certain rights to school principals and supervisors in cases of demotion); revised, 1953, 269.

SECT. 42B added, 1952, 545 (providing for tenure of teachers and superintendents in regional school districts).

SECT. 46 amended, 1941, 194 § 4; revised, 1954, 514 § 5.

SECT. 46A amended, 1932, 159; revised, 1945, 534; 1946, 357; paragraph inserted after second paragraph, 1953, 352; stricken out, 1954, 296 § 2; last sentence stricken out and three sentences inserted, 1947, 384.

SECT. 46B added, 1954, 296 § 1 (providing for reimbursement of cities and towns for transportation of certain handicapped children to special schools).

SECTS. 46C and 46D added, 1954, 514 § 6 (relative to joinder of cities and towns for the purpose of conducting special classes for mentally retarded children).

SECT. 47 revised, 1935, 199; 1950, 658; 1951, 411 § 1; amended, 1952, 316 § 1; revised, 1954, 271.

SECT. 47A added, 1954, 220 (authorizing school committees to contract for hire of athletic coaches for periods not exceeding three years).

SECT. 48A amended, 1935, 47.

SECT. 52 amended, 1932, 90.

SECT. 53A, sentence added at end, 1950, 208 § 1. (See 1950, 208 § 2.)

SECT. 54 amended, 1938, 265 § 1; 1945, 133 § 2.

SECT. 55 revised, 1938, 265 § 2; amended, 1952, 89.

SECT. 55A added, 1938, 265 § 3 (relative to the disposition of children showing signs of ill health or of being infected with a dangerous disease).

SECT. 55B added, 1950, 732 § 1 (prohibiting the employment in schools of certain persons suffering from tuberculosis and requiring periodic examinations of school employees); eighth sentence stricken out and two sentences inserted, 1952, 469; eighth sentence revised, 1954, 658.

SECT. 56 revised, 1938, 265 § 4.

SECT. 57 revised, 1943, 384; 1951, 502 § 1. (See 1951, 502 § 2.)

SECT. 58 amended, 1932, 127 § 8; revised, 1935, 287; repealed, 1945, 543 § 1.

SECT. 59A added, 1952, 506 (providing for the employment of a superintendent of schools in certain small towns); revised, 1953, 557.

SECT. 61 amended, 1951, 643 § 1; revised, 1952, 108; 1953, 334. (See 1951, 643 §§ 1A-3.)

SECT. 63, paragraph added at end, 1945, 223 § 1. (See 1945, 223 § 2.)

SECTS. 64 and 65 revised, 1949, 794.

SECT. 66, paragraph added at end, 1937, 281.

SECT. 68 revised, 1934, 97 § 1. (See 1934, 97 § 2.)

SECT. 69 revised, 1935, 258.

SECT. 71 amended, 1935, 193.

SECT. 72. See 1948, 548; 1949, 303.

SECTS. 75-79 added, 1948, 620 § 5 (providing for extended courses of instruction on junior college level in high schools). (See 1948, 620 § 6.)

Chapter 72. — School Registers and Returns.

SECT. 3, paragraph in lines 6-10 revised, 1939, 461 § 2.

SECT. 8 amended, 1954, 231 § 1.

Chapter 73. — State Teachers Colleges and Community Colleges (former title, State Teachers Colleges).

Title changed, 1932, 127 § 9; 1948, 620 § 1.

SECT. 1 amended, 1932, 127 § 10; revised, 1948, 620 § 2; 1952, 585 § 9; amended, 1952, 618 § 1. (See 1948, 620 § 6; 1952, 618 §§ 4-12.)

SECT. 1A added, 1952, 499 § 1 (relative to the increase of fees and charges for services rendered by the department of education).

SECT. 2 amended, 1932, 127 § 11.

SECT. 2A added, 1938, 246 § 2 (making the constitutions of the United States and of this Commonwealth required subjects of instruction in State Teachers Colleges).

SECT. 3 amended, 1932, 127 § 12; first sentence revised, 1952, 618 § 2. (See 1952, 618 §§ 4-12.)

SECT. 4 amended, 1932, 127 § 13.

SECT. 4A amended, 1932, 127 § 14; sentence added at end, 1952, 618 § 3. (See 1952, 618 §§ 4-12.)

SECT. 4B added, 1954, 350 (regulating the dismissal of certain teachers in state teachers colleges).

SECT. 5 amended, 1932, 127 § 15. (Temporarily affected, 1933, 233; 1934, 130; 1935, 277.)

SECT. 6 amended, 1932, 127 § 16.

SECT. 7 amended, 1932, 127 § 17; revised, 1935, 21; 1948, 620 § 3; sentence added at end, 1950, 60. (See 1948, 620 § 6.)

SECTS. 8 and 9 added, 1948, 620 § 4 (relative to the establishment of community colleges by the department of education and providing courses therein). (See 1948, 620 § 6.)

Chapter 74. — Vocational Education.

SECT. 1 revised, 1938, 446 § 1; amended, 1941, 617 § 1; "State board" defined, 1952, 630 § 2. (See 1938, 446 § 14.)

SECT. 2 amended, 1938, 446 § 2; revised, 1952, 630 § 3. (See 1938, 446 § 14.)

SECT. 3 amended, 1938, 446 § 3. (See 1938, 446 § 14.)

SECT. 4 amended, 1938, 446 § 4. (See 1938, 446 § 14.)

SECT. 5 amended, 1952, 630 § 4.

SECT. 5A added, 1952, 471 § 3 (relative to the establishment of independent distributive occupations, industrial, agricultural and household arts schools by regional school districts). (See 1952, 471 § 2.)

SECT. 6 amended, 1938, 446 § 5; 1952, 630 § 5. (See 1938, 446 § 14.)

- SECT. 7 amended, 1938, 446 § 6; 1952, 630 § 6. (See 1938, 446 § 14.)
- SECT. 7A amended, 1952, 630 § 7.
- SECT. 8 amended, 1952, 630 § 8.
- SECT. 8A revised, 1937, 323; paragraph added at end, 1939, 308; section revised, 1950, 622.
- SECT. 9 amended, 1938, 446 § 7; 1952, 471 § 4. (See 1938, 446 § 14.)
- SECT. 11 amended, 1933, 102 § 2; 1941, 617 § 2. (See 1933, 102 § 4.)
- SECT. 12 amended, 1952, 471 § 5.
- SECT. 13 amended, 1938, 446 § 8. (See 1938, 446 § 14.)
- SECT. 14 revised, 1943, 540; paragraph added at end, 1952, 471 § 6.
- SECT. 14A added, 1943, 540 (relative to federal funds for vocational education); amended, 1952, 630 § 9.
- SECT. 18 amended, 1952, 630 § 10.
- SECT. 19 revised, 1938, 446 § 9. (See 1938, 446 § 14); repealed, 1947, 652 § 13.
- SECT. 20 revised, 1947, 652 § 9.
- SECT. 21 amended, 1938, 446 § 10; 1946, 552 § 2; revised, 1947, 652 § 10. (See 1938, 446 § 14; 1946, 552 §§ 4, 5.)
- SECT. 22 amended, 1938, 446 § 11; revised, 1947, 652 § 11. (See 1938, 446 § 14.)
- SECT. 22A amended, 1938, 446 § 12; revised, 1947, 652 § 12. (See 1938, 446 § 14.)
- SECT. 22B, first paragraph amended, 1948, 360.
- SECT. 22C added, 1945, 561 (authorizing the division of the blind to use federal funds available in a program of rehabilitation of the blind).
- SECT. 22D added, 1946, 552 § 3 (providing for co-operation by the commonwealth with the veterans' administration in the administration of federal laws and regulations relating to the rehabilitation of disabled veterans of World War II). (See 1946, 552 §§ 4, 5.)
- SECT. 22E added, 1950, 206 (relative to tenure of teachers elected for vocational education).
- SECT. 23. See 1933, 102.
- SECT. 24A added, 1947, 497 (relative to the appointment of veterans as teachers in state aided approved vocational schools).
- SECT. 28 revised, 1939, 501 § 6; amended, 1945, 158 § 6.
- SECT. 30 amended, 1937, 41.
- SECT. 31A added, 1934, 65 (authorizing the trustees of the Essex county agricultural school to pay transportation costs of certain pupils attending said school); amended, 1943, 42; revised, 1954, 63.
- SECT. 42, caption preceding section changed, 1946, 257 § 9; section revised, 1946, 257 § 1; 1947, 387; amended, 1953, 488 § 1. (See 1953, 488 § 4.)
- SECT. 42A added, 1953, 523 (authorizing the Bradford Durfee Technical Institute of Fall River and the New Bedford Institute of Textiles and Technology to grant the honorary degree of master of science).
- SECT. 43 amended, 1946, 257 § 2.
- SECT. 44 amended, 1946, 257 § 3.
- SECT. 45 amended, 1946, 257 § 4.
- SECT. 46 amended, 1946, 257 § 5.
- SECT. 46A amended, 1946, 257 § 6.
- SECT. 47E, paragraph added at end, 1935, 22; section revised, 1946, 378; second paragraph amended, 1949, 28; section revised, 1951, 202.
- SECT. 47G revised, 1950, 772.

SECTS. 47-48 and caption preceding section 47 stricken out, 1953, 407 § 2. (See 1953, 407 §§ 1, 8.)

SECT. 49, caption preceding section changed, 1942, 1 § 3; section amended, 1942, 1 § 5; revised, 1946, 340; 1952, 499 § 2. (See 1942, 1 § 9.)

SECT. 49A added, 1946, 340 (authorizing the board of commissioners of the Massachusetts Maritime Academy to grant degrees).

SECT. 53 revised, 1942, 1 § 6. (See 1942, 1 § 9.)

SECT. 54 added, 1949, 630 (providing for institutional on-farm training for veterans of World War II).

SECT. 55 added, 1953, 581 (establishing a state agency for surplus property).

Chapter 75. — University of Massachusetts (former title, Massachusetts State College).

Name changed, 1947, 344 § 1.

SECT. 1 revised, 1947, 344 § 6.

SECT. 2 amended, 1947, 344 § 7.

SECT. 4 amended, 1947, 344 § 8.

SECT. 5 revised, 1935, 288; amended, 1947, 344 § 9.

SECT. 5A added, 1939, 329 (authorizing the trustees of Massachusetts State College to retain and manage in a revolving fund receipts from student activities); amended, 1947, 344 § 10; revised, 1954, 400 § 3.

SECT. 6 amended, 1935, 462 § 2; 1947, 344 § 11. (See 1935, 462 § 1.)

SECT. 7 amended, 1947, 344 § 12.

SECT. 8 amended, 1945, 504; 1947, 344 § 13.

SECT. 9, caption preceding section revised, 1947, 344 § 14; section amended, 1947, 344 § 15.

SECT. 10 amended, 1947, 344 § 16.

SECT. 11 amended, 1947, 344 § 17.

SECT. 13 revised, 1953, 538.

SECT. 14 amended, 1947, 344 § 18.

SECT. 15 amended, 1947, 344 § 19.

SECT. 16 amended, 1947, 344 § 20.

SECT. 16A added, 1945, 586 (providing for the establishment at the Massachusetts Agricultural Experiment Station of a diagnostic laboratory dealing with the causes, etc., of diseases of domestic animals); amended, 1947, 344 § 21; revised, 1947, 471.

SECT. 22 amended, 1947, 344 § 22.

SECT. 24 amended, 1947, 344 § 23.

SECT. 25 amended, 1947, 344 § 24.

SECT. 26 amended, 1947, 344 § 25.

SECT. 31 added, 1951, 524 (providing for scholarships at the University of Massachusetts).

Chapter 75A. — Lowell Technological Institute of Massachusetts.

New chapter inserted, 1953, 407 § 3. (See 1953, 407 §§ 1, 7, 8.)

Chapter 76. — School Attendance.

SECT. 1 revised, 1939, 461 § 3; amended, 1941, 423; 1950, 400.

SECT. 2, two sentences added at end, 1947, 241 § 1. (See 1947, 241 § 2.)

SECTS. 7-10. (See 1939, 454 § 21.)

SECT. 7 amended, 1951, 579.

SECT. 15 revised, 1938, 265 § 5.

Chapter 77. — School Offenders and County Training Schools.

SECT. 1 revised, 1933, 295 § 1; amended, 1943, 82.

SECT. 3 revised, 1948, 573 § 1. (See 1948, 573 § 7.)

SECT. 4 revised, 1948, 573 § 2. (See 1948, 573 § 7.)

SECT. 5 revised, 1948, 573 § 3. (See 1948, 573 § 7.)

SECT. 10 revised, 1949, 593 § 5.

SECT. 11 amended, 1948, 573 § 4. (See 1948, 573 § 7.)

SECT. 12 revised, 1948, 573 § 5. (See 1948, 573 §§ 6, 7.)

SECT. 13 amended, 1954, 231 § 2.

SECT. 14 amended, 1949, 594.

Chapter 78. — Libraries.

SECT. 4 revised, 1935, 202.

SECT. 9 amended, 1952, 585 § 10.

SECT. 11 revised, 1952, 585 § 16.

SECT. 14, caption preceding section revised, 1952, 585 § 11; section amended, 1952, 585 § 12.

SECT. 15 amended, 1952, 585 § 13.

SECT. 19 revised, 1952, 585 § 17.

SECTS. 22-31 added, 1948, 320 (providing for the certification of librarians).

SECT. 22 amended, 1952, 585 § 14.

SECT. 24 amended, 1952, 585 § 15.

SECT. 26 revised, 1952, 585 § 18.

Chapter 79. — Eminent Domain.

SECT. 3, first paragraph amended, 1938, 172 § 6; two sentences added at end of first paragraph, 1943, 251 § 1. (See 1943, 251 § 4.)

SECT. 5A added, 1948, 180 (restricting the taking by eminent domain of ancient landmarks and property of historical or antiquarian interest).

SECT. 5B added, 1950, 532 (restricting the taking by eminent domain of property used for agricultural purposes).

SECT. 8 amended, 1936, 187 § 1; sentence inserted after second sentence, 1943, 251 § 2. (See 1943, 251 § 4.)

SECT. 9, last sentence amended, 1938, 172 § 7.

SECT. 12, sentence added at end, 1953, 634 § 1. (See 1953, 634 § 2.)

SECT. 15 repealed, 1936, 385 § 1. (See 1936, 385 § 2.)

SECT. 16 amended, 1936, 187 § 2; 1938, 185; revised, 1943, 95; paragraph added at end, 1943, 251 § 3; sentence added at end, 1950, 230. (See 1943, 251 § 4.)

SECT. 34 amended, 1952, 633.

SECT. 44A added, 1935, 189 (relative to certain tax liens upon real estate taken by right of eminent domain); amended, 1936, 137.

Chapter 80. — Betterments.

SECT. 1 amended, 1933, 254 § 62. (See 1933, 254 § 66.)

SECT. 4 revised, 1933, 63 § 1.

SECT. 5 amended, 1933, 157 § 2. (See 1933, 157 § 3.)

SECT. 10 revised, 1933, 147.

SECT. 10A added, 1933, 157 § 1 (providing that failure of a board of officers to take action upon a petition for abatement of a betterment assessment shall, for the purposes of appeal, be equivalent to refusal to abate the assessment). (See 1933, 157 § 3.)

SECT. 12 revised, 1943, 252 § 1, 478 § 4; sentence added at end, 1947, 116; 1953, 344.

SECT. 13 amended, 1933, 63 § 2, 254 § 63; revised, 1934, 315 § 1; last sentence stricken out and new paragraph added, 1938, 489 § 1; first sentence of section amended, 1941, 595; section amended, 1954, 286. (See 1933, 254 § 66; 1934, 315 § 3; 1941, 724.)

SECT. 13A added, 1943, 252 § 2 (relative to the time within which certain betterment and other assessments on unimproved land shall be paid).

Chapter 81. — State Highways.

For legislation providing for an accelerated highway program, see 1949, 306.

SECT. 3, last sentence stricken out and two sentences inserted, 1952, 401.

SECT. 5 revised, 1937, 218 § 1.

SECT. 7A added, 1937, 344 (granting certain powers to the department of public works with respect to certain ways connecting with state highways); revised, 1948, 448; sentence inserted before last sentence, 1951, 453.

SECT. 7B added, 1941, 519 (giving the department of public works the power to take a slope easement, so called, in certain cases).

SECT. 7C added, 1943, 397 (relative to limited access ways); sentence added at end, 1949, 583; 1950, 829.

SECT. 7D added, 1948, 449 (authorizing the department of public works to grant certain easements within state highway locations).

SECT. 7E added, 1949, 764 (authorizing the department of public works to sell certain land or rights therein which it has acquired for certain purposes).

SECT. 8 revised, 1936, 371; amended, 1937, 218 § 2; last sentence revised, 1951, 532.

SECT. 13 revised, 1952, 563 § 1; third sentence amended, 1953, 354 § 1. (See 1952, 563 § 2; 1953, 354 § 2.)

SECT. 13A added, 1936, 342 (authorizing the department of public works to accept in behalf of the commonwealth gifts of certain easements for the purpose of landscaping along state highways, and to do such landscaping).

SECT. 19, last four sentences stricken out, 1933, 187 § 1. (See 1933, 187 § 2.)

SECT. 20A added, 1945, 539 (providing for the illumination of hazardous locations on state highways).

SECT. 21 amended, 1948, 298; first sentence revised, 1954, 219; two sentences added at end, 1950, 507.

SECT. 25, first sentence amended, 1947, 454.

SECT. 26 amended, 1934, 366; first paragraph amended, 1949, 706 § 1; revised, 1951, 655 § 1; paragraph added at end, 1946, 523; amended, 1949, 706 § 2; revised, 1954, 524. (See 1951, 655 § 3.)

SECT. 27 amended, 1939, 224.

SECT. 29A added, 1943, 416 (authorizing the department of public works to lay out and alter ways other than state highways and facilitating the securing of federal aid in connection therewith).

SECT. 30, first sentence revised, 1951, 520.

SECT. 31 repealed, 1951, 655 § 2.

Chapter 82. — The Laying Out, Alteration, Relocation and Discontinuance of Public Ways, and Specific Repairs Thereon.

SECT. 7 amended, 1933, 283 § 2.

SECT. 32B added, 1933, 283 § 3 (authorizing the taking of easements of slope, so called, by county, city or town officers in connection with the laying out, widening, altering or relocating of public ways).

SECT. 34 amended, 1935, 309; 1941, 533.

Chapter 83. — Sewers, Drains and Sidewalks.

SECT. 15A added, 1948, 52 § 1 (authorizing municipalities to redetermine from time to time the fixed uniform rates charged to abutters for the construction of sewers). (See 1948, 52 § 2.)

SECT. 19 revised, 1943, 252 § 4. (See 1943, 252 § 6.)

SECT. 27, last sentence revised, 1943, 252 § 5.

SECT. 29 added, 1943, 252 § 3 (relative to the continuance of liens created under special acts in connection with certain betterment and other assessments).

Chapter 84. — Repair of Ways and Bridges.

SECT. 5A added, 1945, 319 (authorizing towns to enter into agreements for the removal of snow and ice from public ways in adjoining towns, etc.).

SECT. 18 revised, 1933, 114 § 1.

SECT. 19 amended, 1933, 114 § 2.

SECT. 20 revised, 1933, 114 § 3; amended, 1939, 147.

Chapter 85. — Regulations and By-Laws relative to Ways and Bridges.

SECT. 2, second and third sentences amended, 1947, 442 § 2; section revised, 1951, 646 § 1.

SECT. 2A added, 1941, 346 § 2 (authorizing the department of public works to remove vehicles from state highways when said vehicles interfere with the removal of snow and ice).

SECT. 11A added, 1941, 710 § 1 (relative to the registration and operation of certain bicycles).

SECTS. 12-14 repealed, 1941, 710 § 2.

SECT. 14B added, 1938, 432 (requiring the use of certain signal lights at locations on unlighted ways where certain vehicles are disabled); first paragraph amended, 1946, 375; 1953, 234 § 1; second paragraph amended, 1953, 234 § 2.

SECT. 17B added, 1933, 43 (prohibiting riding upon the rear or on the side of street railway cars or motor buses without the consent of the persons in charge thereof); revised, 1943, 322 § 2.

SECT. 21A added, 1951, 618 (authorizing cities and towns to erect certain signs on state highways); revised, 1952, 61.

SECT. 25 amended, 1953, 319 § 10. (See 1953, 319 §§ 39, 40.)

SECT. 30 amended, 1935, 30; 1938, 171 § 1; first sentence amended, 1946, 397 § 2; 1951, 568.

SECT. 31 revised, 1938, 171 § 2.

SECT. 36 added, 1951, 303 (providing that vehicles driven on public ways shall be so constructed or loaded as to prevent the contents from dropping).

Chapter 87. — Shade Trees.

SECT. 5 amended, 1941, 490 § 18; 1949, 761 § 12.

Chapter 88. — Ferries, Canals and Public Landings.

SECT. 19 revised, 1945, 442.

Chapter 89. — Law of the Road.

SECT. 1 revised, 1951, 646 § 2.

SECT. 2 revised, 1933, 301.

SECT. 4 revised, 1949, 301 § 1; 1951, 646 § 3. (See 1949, 301 § 2.)

SECTS. 4A and 4B added, 1952, 461 § 1 (relative to driving vehicles on ways which are divided into lanes).

SECT. 4B, sentence added at end, 1954, 304.

SECT. 5 amended, 1936, 49; 1952, 461 § 2. (See 1938, 149.)

SECT. 7A revised, 1952, 172.

SECT. 7B added, 1934, 382 (relative to the application of traffic laws and regulations to fire apparatus and other emergency vehicles).

SECT. 9 revised, 1948, 416.

Chapter 90. — Motor Vehicles and Aircraft.

For legislation providing for an accelerated highway program, see 1949, 306.

For legislation exempting certain disabled veterans from payment of certain motor vehicle excise taxes and registration fees, see 1948, 368.

SECT. 1, "antique motor car" defined, 1948, 432 § 1; definition of "dealer" revised, 1948, 511 § 1; "farmer" defined, 1951, 736 § 1; "heavy duty platform trailer" defined, 1939, 354 § 1; amended, 1941, 30; revised, 1945, 595 § 1; "manufacturer" defined, 1948, 511 § 2; definition of "motor cycle" revised, 1950, 321 § 1; definition of "motor vehicles" amended, 1932, 182; 1938, 36; revised, 1948, 93; 1950, 321 § 2; definition of "non-resident" revised, 1952, 266 § 1; amended, 1952, 566 § 1; revised, 1953, 463 § 1; "owner" defined, 1952, 266 § 2; "owner-repairman" defined, 1948, 511 § 3; definition of "register number" revised, 1935, 43; "repairman" defined, 1948, 511 § 4; revised, 1951, 89; 1953, 378; "school bus" defined, 1932, 271 § 1; revised, 1946, 91; amended, 1947, 216 § 1; revised, 1950, 502 § 1; "semi-trailer" and "semi-trailer unit" defined, 1933, 332 § 1; "tractor" de-

defined and definition of "trailer" revised, 1933, 322 § 2; definition of "trailer" amended, 1939, 354 § 2; revised, 1951, 578 § 1; "transporter" defined, 1948, 511 § 5; revised, 1950, 321 § 3. (See 1932, 271 § 7; 1933, 322 § 5; 1951, 578 § 2; 1951, 736 § 5; 1952, 566 § 2.)

SECT. 1A amended, 1933, 372 § 3; 1934, 264 § 2; last sentence revised, 1948, 572 § 1; section revised, 1950, 471; paragraph added at end, 1950, 502 § 5. (See 1948, 572 § 3.)

SECT. 2, first paragraph revised, 1950, 443; amended, 1954, 305; fourth paragraph revised, 1932, 5; seventh paragraph revised, 1939, 436 § 1; 1949, 470, 644 § 3; 1952, 82; amended, 1953, 225; last paragraph revised, 1933, 54; amended, 1948, 94; paragraph added at end, 1952, 554.

SECT. 2A added, 1953, 579 (providing for the registration of motor vehicles or trailers owned by minors).

SECT. 3, first sentence revised, 1933, 188; section revised, 1939, 325; first sentence amended, 1953, 463 § 2; paragraph inserted after second paragraph, 1953, 463 § 3; paragraph added at end, 1941, 282.

SECT. 3A amended, 1952, 125; revised, 1953, 366 § 1.

SECT. 3B revised, 1953, 366 § 2.

SECT. 3C revised, 1937, 387.

SECT. 3D, first sentence revised, 1953, 366 § 3.

SECT. 3G added, 1945, 590 § 1 (relative to recovery for damage caused by motor vehicles of non-residents); three sentences added at end, 1952, 77. (See 1945, 590 § 2.)

SECT. 5, last sentence amended, 1947, 311; section revised, 1947, 401 § 1; 1948, 511 § 6; 1949, 94; 1951, 736 § 2; 1952, 377 § 1. (See 1947, 401 § 3; 1951, 736 § 5.)

SECT. 5A added, 1943, 409 § 2 (relative to the use of a general distinguishing mark or number on all motor vehicles under the control of the military forces); revised, 1948, 304.

SECT. 6, first sentence revised, 1939, 436 § 2.

SECT. 6A added, 1948, 432 § 3 (providing for special registration plates for antique motor cars).

SECT. 6B added, 1953, 2 § 2 (permitting the issuance of one number plate for each motor vehicle). (See 1953, 2 §§ 1, 3.)

SECT. 7 amended, 1932, 123 § 1; 1933, 51; second sentence amended, 1933, 109; sentence added after fourth sentence, 1939, 153; ninth sentence revised, 1949, 260; amended, 1951, 235; sentence inserted after ninth sentence, 1951, 370; eleventh sentence revised, 1952, 253; sentence added at end of first paragraph, 1954, 570 § 1; paragraph added at end of section, 1941, 443. (See 1932, 123 § 2; 1954, 570 § 2.)

SECT. 7A revised, 1932, 41, 271 § 2. (See 1932, 271 § 7.)

SECT. 7B added, 1932, 271 § 3 (prerequisites to operation of school bus). (See 1932, 271 § 7.)

SECTS. 7A and 7B stricken out, and new sections 7A-7C inserted, 1945, 241 § 1. (See 1945, 241 § 3.)

SECT. 7A, first sentence amended, 1950, 140; first sentence stricken out and two sentences inserted, 1950, 525; first sentence amended, 1951, 416.

SECT. 7B, clause (1) revised, 1950, 502 § 2; clause (6) inserted, 1950, 459 § 1; clause (7) inserted, 1951, 196 § 1. (See 1950, 459 § 2.)

SECT. 7C revised, 1948, 307; first sentence amended, 1951, 419 § 1; sentence added at end, 1950, 502 § 3. (See 1951, 419 § 2.)

SECT. 7D added, 1947, 216 § 2 (making certain provisions of law relating to school buses applicable to certain motor vehicles used for the transportation of school children); revised, 1950, 502 § 4.

SECT. 7E added, 1949, 266 (relative to the display of red lights upon vehicles owned and operated by firemen and certain other persons); first sentence revised, 1954, 306.

SECT. 8 amended, 1934, 103; 1937, 284; next to last sentence revised, 1948, 399 § 1; sentence contained in lines 19-22 (as appearing in 1937, 284) stricken out, 1948, 619 § 1; paragraph added at end, 1950, 655. (See 1948, 399 § 3, 619 §§ 2, 3.)

SECT. 9 amended, 1934, 361; 1941, 283; first sentence revised, 1952, 244.

SECT. 9A revised, 1932, 168 § 1; 1935, 393 § 1; 1949, 358; 1952, 100. (See 1932, 168 §§ 2, 3; 1935, 393 § 2.)

SECT. 10 amended, 1935, 219; second sentence revised, 1948, 130; paragraph added at end, 1950, 139.

SECT. 10A added, 1952, 126 (requiring operators of trackless trolleys to be licensed to operate motor vehicles); paragraph added at end, 1952, 287 § 1; section repealed, 1953, 276. (See 1952, 287 § 2.)

SECT. 11, first sentence revised, 1952, 377 § 2; sentence added at end, 1954, 446.

SECT. 13, two sentences inserted after second sentence, 1950, 763; sentence added at end, 1949, 707; same sentence revised, 1950, 305.

SECT. 14 amended, 1938, 166; third sentence revised, 1947, 418; section revised, 1948, 324; third sentence revised, 1950, 502 § 6; 1951, 196 § 2.

SECT. 14A added, 1949, 279 (providing for the protection of blind persons while crossing ways).

SECT. 14B added, 1951, 649 (providing that motor vehicle operators give uniform signals on all ways); paragraph added at end, 1952, 321.

SECT. 15 amended, 1932, 271 § 5; 1933, 26 § 1; revised, 1951, 557. (See 1932, 271 § 7.)

SECT. 17, sentence added at end, 1932, 271 § 4; section amended, 1947, 406; revised, 1948, 564 § 1. (See 1932, 271 § 7.)

SECT. 18 amended, 1945, 125; revised, 1948, 564 § 2.

SECT. 19, last sentence revised, 1933, 332 § 3; 1935, 223 § 1; section revised, 1935, 326 (but see 1935, 465); amended, 1936, 388 § 1; revised, 1941, 314; first sentence amended, 1946, 380; last two sentences amended, 1945, 595 § 4; same sentences stricken out and four sentences inserted, 1946, 341; paragraph added at end, 1948, 394; section revised, 1951, 573. (See 1933, 332 § 5; 1935, 223 § 2; 1936, 388 § 2.) Affected by 1941, 589; 1951, 310.

SECT. 19A added, 1946, 397 § 1 (authorizing certain semi-trailer units and motor vehicles to travel upon public ways without certain permits); paragraph added at end, 1951, 344, 617, 782; last paragraph revised, 1952, 408.

SECT. 19B added, 1951, 572 § 1 (relative to the dimensions of motor buses). (See 1951, 572 § 2.) Affected, 1951, 310.

SECT. 20, first sentence revised, 1951, 567.

SECT. 20A added, 1934, 368 § 1 (providing for the non-criminal disposition of charges for violation of motor vehicle parking rules, regulations, orders, ordinances and by-laws); revised, 1935, 176; first paragraph revised, 1938, 201; first sentence revised, 1952, 193 § 1; fifth sentence

revised, 1952, 193 § 2; amended, 1949, 425 § 1; third paragraph revised, 1949, 425 § 2; amended, 1952, 98; fifth paragraph revised, 1949, 425 § 3; sentence added at end, 1951, 69; section revised, 1953, 249 § 1; paragraph added at end, 1954, 302. (See 1934, 368 § 2; 1949, 425 § 4; 1953, 249 §§ 2, 3.)

SECT. 21 amended, 1936, 406; 1954, 669.

SECT. 22, two paragraphs added at end, 1933, 191; first sentence (as appearing in 1933, 191) amended, 1941, 312.

SECT. 22A added, 1932, 304 § 1 (requiring the suspension of licenses to operate motor vehicles issued to persons who do not satisfy judgments in motor vehicle accident cases involving property damage). (See 1932, 304 § 2.)

SECT. 23, first paragraph revised, 1954, 74; paragraph added at end, 1933, 69.

SECT. 24 amended, 1932, 26 § 1; first sentence amended, 1936, 182 § 1; sentence contained in lines 65-97 amended, 1935, 360; paragraph added at end, 1936, 182 § 2; section revised, 1936, 434 § 1; paragraph (1) (a) amended, 1938, 145; paragraph (1) (c) revised, 1939, 82; paragraph (2) (a) amended, 1937, 230 § 1; paragraph (2) (c) amended, 1937, 117. (See 1937, 230 § 2.)

SECT. 26 revised, 1953, 570 § 2.

SECT. 27 amended, 1949, 115 § 2; revised, 1953, 319 § 11; first sentence amended, 1953, 570 § 3. (See 1953, 319 §§ 39, 40.)

SECT. 28 revised, 1950, 536.

SECT. 29, last sentence amended, 1932, 26 § 2; section amended, 1935, 477 § 1; second sentence revised, 1936, 391; first four sentences revised, 1947, 508; 1949, 557; sixth sentence amended, 1952, 15; last two sentences revised, 1938, 146.

SECT. 29A added, 1953, 570 § 4 (relative to notice by police officers and certain others of violations of the motor vehicle laws).

SECT. 31 revised, 1948, 201 § 2. (See 1948, 201 § 4.)

SECT. 32, first sentence revised, 1953, 196.

SECT. 32A, paragraph added at end, 1949, 321; amended, 1954, 392; 1951, 418.

SECT. 32B repealed, 1934, 209 § 2. (See 1934, 209 § 3.)

SECTS. 32C-32F added, 1934, 209 § 1 (further regulating the business of leasing motor vehicles upon a mileage basis). (See 1934, 209 § 3.)

SECT. 32G added, 1953, 563 (relative to licensing of persons engaged in the business of giving instruction in the driving of motor vehicles).

SECT. 33, first four paragraphs stricken out, and five new paragraphs inserted, 1932, 249 § 1; third paragraph (as appearing in 1932, 249 § 1) revised, 1948, 572 § 2; fourth paragraph (as so appearing) amended, 1933, 183 § 1; revised, 1948, 584 § 2; fifth paragraph (as so appearing) revised, 1947, 666 § 3; paragraph in lines 21-41 amended, 1932, 180 § 12; same paragraph stricken out, and two paragraphs inserted, 1933, 332 § 4; two paragraphs so inserted stricken out, and new paragraph inserted, 1935, 409 § 1; the paragraph so inserted amended, 1936, 380 § 1; subdivisions (2) and (3) of the paragraph so inserted revised, 1937, 377; subdivision (2) of said paragraph revised, 1945, 595 § 2; subdivision (3) of said paragraph amended, 1938, 430; subdivision (4) of said paragraph amended, 1939, 354 § 3; subdivision (6) of said paragraph amended, 1939, 354 § 4; revised, 1945, 595 § 3; last sentence revised, 1947, 463; sixth paragraph (inserted by 1935, 409 § 1) revised, 1951,

630 § 1; paragraph inserted after subdivision (6), 1948, 432 § 2; paragraph in lines 69-75 (as appearing in the Ter. Ed.) revised, 1948, 511 § 7; paragraph inserted after "registrar" in line 75 (as appearing in the Ter. Ed.) 1947, 401 § 2; same paragraph revised, 1948, 511 § 7; paragraph in lines 85-87 (as appearing in the Ter. Ed.) revised, 1948, 399 § 2; 619 § 2; paragraph inserted, 1950, 306; last paragraph amended, 1936, 401; paragraph added at end, 1949, 644 § 4; section revised, 1951, 699 § 1; paragraph inserted after paragraph numbered (6), 1952, 173 § 1; fifteenth paragraph revised, 1951, 736 § 3; twenty-fourth paragraph revised, 1952, 459; section revised, 1952, 540; third paragraph revised, 1954, 241; first sentence of fifth paragraph revised, 1953, 304; sentence inserted, 1953, 607. (See 1932, 249 § 2; 1933, 183 § 2, 332 § 5; 1935, 409 § 2; 1936, 380 § 2; 1947, 401 § 3; 666 § 4; 1948, 368; 399 § 3; 572 § 3; 619 § 3; 1951, 630 § 2; 699 § 5; 736 § 5; 1952, 173 § 2.)

SECT. 34, four words stricken out, 1933, 197 § 3; first paragraph amended, 1934, 364 § 1; section revised, 1943, 427 § 2. (See 1934, 364 § 3.)

SECT. 34A, paragraph defining "certificate" revised, 1945, 384 § 1; amended, 1949, 571 § 1; new paragraph (defining "guest occupant") added, 1935, 459 § 1; paragraphs defining "motor vehicle liability bond" and "motor vehicle liability policy" revised, 1935, 459 § 2. (See 1935, 459 § 5; 1945, 384 § 3.)

SECT. 34B, second paragraph revised, 1933, 83 § 1; 1935, 302; fourth paragraph revised, 1933, 83 § 2; fifth paragraph revised, 1949, 571 § 2. (See 1933, 83 § 3.)

SECT. 34C amended, 1932, 180 § 13; 1949, 571 § 3.

SECT. 34D revised, 1935, 459 § 3; 1949, 571 § 4; last sentence revised, 1950, 162 § 3; 1954, 126 § 3. (See 1935, 459 § 5.)

SECT. 34E revised, 1949, 571 § 5.

SECT. 34F revised, 1949, 571 § 6.

SECT. 34H, first paragraph amended, 1933, 119 § 4; second paragraph amended, 1948, 39; new paragraph inserted, 1933, 119 § 5. (See 1933, 119 § 6.)

SECT. 34I revised, 1949, 571 § 7.

SECTS. 35-43 and 44-50 inc. (inserted by 1935, 418 § 2, as amended) and sect. 43A (inserted by 1938, 417 § 9) stricken out and new sections 35-52 inserted, 1939, 393 § 3 (further revising the laws relative to aviation). (See 1939, 393 §§ 4-6.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 35 to 52 as so inserted:

SECT. 35, paragraph defining "Airport" amended, 1941, 537 § 1; paragraph inserted after said paragraph, 1941, 537 § 2; paragraph defining "Landing field" amended, 1941, 537 § 3; two paragraphs added at end, 1941, 537 § 4; section revised, 1946, 507; "Navigable Air Space" defined, 1947, 292.

SECTS. 36-38 repealed, 1946, 583 § 2. (See G. L. 6 §§ 57-59. See also 1946, 583 §§ 1, 4.)

SECT. 39, first paragraph revised, 1941, 695 § 13; section revised, 1946, 583 § 3; first paragraph revised, 1948, 637 § 10. (See 1946, 583 § 5; 1948, 637 §§ 4-9, 13; 663 § 4.)

SECTS. 39A-39F added, 1946, 607 § 1 (relative to a state airport plan).

SECT. 39A, paragraph added at end, 1953, 524 § 1.

SECT. 39B, paragraph inserted after first paragraph, 1948, 505.

SECT. 39C revised, 1949, 762 § 1. (See 1949, 762 § 2.)

SECT. 39D repealed, 1948, 637 § 11. (See 1948, 637 §§ 4-9, 13.)

SECT. 39F revised, 1947, 593 § 4; paragraph added at end, 1953, 524 § 2. (See 1953, 524 § 3.)

SECT. 39G added, 1947, 593 § 5 (making certain provisions of law relating to airports in municipalities applicable to airports in counties).

SECT. 40 revised, 1946, 582 § 1; paragraph added at end, 1949, 60.

SECTS. 40A-40I inserted, 1941, 537 § 5 (relative to protecting the approaches to publicly owned airports).

SECT. 40A, fifth sentence amended, 1950, 421.

SECT. 41 revised, 1946, 582 § 2.

SECT. 42 amended, 1941, 537 § 6.

SECT. 43 revised, 1946, 582 § 3.

SECT. 44 amended, 1941, 537 § 7.

SECT. 45 amended, 1941, 537 § 8; revised, 1947, 319.

SECT. 49A added, 1949, 115 § 1 (relative to court records of cases involving violations of aeronautical laws, rules and regulations); amended, 1953, 319 § 12. (See 1953, 319 §§ 39, 40.)

SECTS. 50A-50L added, 1948, 637 § 3 (relative to the management of state-owned airports). (See 1948, 637 §§ 4-9, 13; 663 § 4.)

SECT. 50C, paragraph added at end, 1951, 672 § 1. (See 1951, 672 §§ 2, 3.)

SECT. 50D, first sentence amended, 1949, 762 § 3.

SECT. 50F, sentence added at end, 1948, 663 § 2; third paragraph revised, 1949, 763. (See 1948, 663 §§ 4, 5; 1949, 745 § 2.)

SECT. 50H, sentence added at end, 1948, 663 § 3. (See 1948, 663 §§ 4, 5.)

SECT. 51 stricken out, 1946, 613 § 1.

SECTS. 51A-51B added, 1946, 582 § 4 (relative to the supervision of state airports by airport managers and to the leasing thereof); repealed, 1948, 637 § 11. (See 1948, 637 §§ 4-9, 13.)

SECTS. 51C-51L added, 1946, 613 § 1 (relating to the acquisition, establishment, maintenance, operation and regulation of airports by the commonwealth and the cities and towns thereof).

SECT. 51C repealed, 1948, 637 § 11. (See 1948, 637 §§ 4-9, 13.)

SECT. 51E, sentence inserted after first sentence, 1948, 481; second and third sentences revised, 1947, 70; last sentence stricken out and five sentences inserted, 1947, 593 § 1.

SECT. 51F revised, 1949, 769 § 1.

SECT. 51H revised, 1949, 769 § 2.

SECT. 51I revised, 1947, 593 § 2.

SECT. 51K revised, 1947, 593 § 3.

SECT. 51M added, 1947, 332 (prohibiting the granting of exclusive franchises for transportation of persons at airports publicly owned or controlled, or constructed wholly or partly with public funds.)

SECT. 51N added, 1947, 501 (authorizing municipalities to establish, maintain and operate airports as joint enterprises).

Chapter 90A. — The Highway Safety Act.

New Chapter inserted, 1953, 570 § 1.

SECT. 1 revised, 1954, 425.

Chapter 91. — Waterways.

SECT. 9A added, 1938, 407 § 2 (providing a method for the development of waterfront terminal facilities).

SECT. 11, first sentence revised, 1950, 516.

SECT. 12A added, 1939, 513 § 6 (licensing and otherwise regulating structures, filling and excavations in certain rivers and streams).

SECT. 16 amended, 1954, 568 § 3.

SECT. 19A added, 1954, 258 (regulating the lowering of waters of a great pond).

SECT. 27, paragraph added at end, 1937, 372 § 2; sentence added at end, 1950, 768.

SECT. 29 revised, 1950, 524.

SECT. 30A added, 1950, 214 (prohibiting the removal of certain natural barriers which furnish protection against erosion by the sea).

SECT. 46A added, 1935, 362 § 1 (penalizing the unlicensed breaking up or altering of vessels, scows, lighters or certain other structures).

SECT. 49 revised, 1935, 362 § 2.

SECTS. 60-62 added, 1953, 666 § 2 (transferring the control of Salisbury Beach Reservation to the division of public beaches in the department of public works).

SECT. 61, paragraph added at end, 1954, 533.

Chapter 91A. — Port of Boston Commission (formerly entitled Port of Boston Authority).

New chapter inserted, 1945, 619 § 3. (See 1945, 619 §§ 4-11.)

SECT. 1, section and caption preceding it revised, 1953, 608 § 5. (See 1953, 608 §§ 13-16.)

SECT. 2 revised, 1951, 457 § 1. (See 1951, 457 §§ 3, 4.)

SECT. 3 amended, 1951, 457 § 2; revised, 1953, 608 § 6. (See 1951, 457 §§ 3, 4.)

SECT. 4 amended, 1947, 413 § 1; 1953, 608 § 7.

SECT. 5 amended, 1953, 608 § 8.

SECT. 6 amended, 1953, 608 § 9.

SECT. 7 amended, 1953, 608 § 10.

SECT. 8 amended, 1953, 608 § 11; repealed, 1954, 568 § 4.

SECT. 9 amended, 1953, 608 § 12.

Chapter 92. — Metropolitan Sewers, Water and Parks.

For legislation abolishing the Metropolitan District Water Supply Commission and transferring its functions to the Metropolitan District Commission, see 1947, 583.

SECT. 1 amended, 1946, 367 § 1; 1950, 648 § 1. (See 1946, 367 § 2.)

SECT. 8 amended, 1946, 432 § 5.

SECT. 9A added, 1952, 559 § 1 (providing for the construction and operation of metropolitan refuse disposal incinerators); first sentence revised, 1954, 495 § 1. (See 1952, 559 §§ 2, 3; 1954, 495 § 2.)

SECT. 10 revised, 1943, 543 § 1; 1945, 587 § 1; paragraph (2) amended, 1946, 549 § 1; paragraph (3) amended, 1947, 575 § 1; 1949, 385 § 1; paragraph (4) amended, 1946, 549 § 2; paragraph (5), sentence added at end, 1946, 549 § 3; paragraph (6) revised, 1946, 549 § 4; paragraph

(10) amended, 1946, 243, 549 § 5; 1953, 373; paragraph (12) revised, 1947, 575 § 2. (See 1943, 543 §§ 1A, 3; 1945, 587 § 5; 1947, 575 §§ 3-6; 1949, 494.)

SECT. 13 amended, 1950, 518 § 2.

SECT. 17, paragraph added at end, 1945, 693 § 1.

SECT. 26, first paragraph revised, 1943, 543 § 2; first two paragraphs revised, 1945, 587 § 2; second paragraph amended, 1946, 432 § 6; first two paragraphs revised, 1946, 549 § 6; first paragraph stricken out and five paragraphs inserted, 1953, 618. (See 1945, 587 §§ 4, 5.)

SECTS. 26A and 26B added, 1945, 587 § 3 (fixing the price for water furnished to municipalities by the metropolitan water district and providing for a state borrowing to ensure the maintenance of the price as fixed and providing for disposition of the excess in the metropolitan water works sinking fund).

SECT. 26A, first two sentences revised, 1946, 549 § 7.

SECT. 43 amended, 1950, 518 § 3.

SECT. 46 revised, 1948, 550 § 7.

SECT. 48 amended, 1934, 266 § 1. (See 1934, 266 § 4.)

SECTS. 55 and 56 stricken out and section 55 inserted, 1949, 554 § 1.

SECT. 56 revised, 1933, 197 § 1; sentence added at end, 1939, 429 § 1; section stricken out, 1949, 554 § 1. (See 1939, 429 §§ 2, 4.)

SECT. 57 amended, 1933, 197 § 2; 1949, 554 § 2.

SECT. 58 amended, 1946, 432 § 7.

SECT. 59 amended, 1949, 554 § 3.

SECT. 59A added, 1945, 637 § 7 (relative to annual assessments upon municipalities of the metropolitan districts for maintenance); sentence added at end, 1946, 432 § 8. (See 1945, 279.)

SECT. 60 revised, 1939, 429 § 3; last sentence revised, 1946, 432 § 9. (See 1939, 429 § 4.)

SECT. 60A added, 1937, 352 § 1 (regulating the making and awarding of certain contracts by the metropolitan district commission and metropolitan district water supply commission); repealed, 1941, 547 § 2. (See 1937, 352 § 2; 1941, 547 § 1.)

SECT. 61, first sentence revised, 1954, 162 § 2.

SECT. 62 revised, 1938, 396; amended, 1941, 658 § 1; revised, 1950, 730 § 1. (See 1950, 730 § 2.) (See 1941, 658 § 2.)

SECT. 62A added, 1937, 416 § 1 (providing for a reserve police force for the metropolitan district commission); revised, 1939, 441 § 1. (See 1937, 416 § 5; 1939, 441 §§ 3, 5.)

SECT. 62B added, 1951, 612 (relative to compensation for Metropolitan district police for overtime service).

SECT. 63 repealed, 1937, 416 § 2. (See 1937, 416 § 5; 1939, 441 § 3.)

SECT. 63B added, 1948, 653 (providing for the reimbursement of metropolitan district police officers for injuries or damages sustained by them in the line of duty).

SECT. 93 amended, 1934, 266 § 2. (See 1934, 266 § 4.)

SECT. 94 amended, 1934, 266 § 3. (See 1934, 266 § 4.)

SECT. 95A added, 1950, 518 § 1 (relative to the granting of permits by the metropolitan district commission for projections over property under its control).

SECT. 99 repealed, 1947, 530.

SECT. 100 revised, 1939, 499 § 7; 1945, 292 § 9. (See 1945, 637 § 8.)

Chapter 92A. — Massachusetts Public Building Commission.

New chapter inserted, 1947, 466 § 3. (See 1947, 466 §§ 4-6.)

For prior temporary legislation, see 1933, 365, 368; 1934, 41; 1935, 380; 1937, 338; 1938, 20, 501 § 3; 1939, 417, 418; 1941, 720 § 16; 1943, 517 § 3.

Chapter repealed, 1953, 612 § 8. (See 1953, 612 §§ 10-13.)

Chapter 93. — Regulation of Trade and Certain Enterprises.

SECT. 8, sentence added at end, 1938, 410 § 2.

SECTS. 14A-14D added, under heading "FAIR TRADE", 1937, 398 (protecting trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name).

SECT. 14A amended, 1939, 231.

SECT. 14B amended, 1939, 313.

SECT. 14C revised, 1943, 40.

SECTS. 14E-14K added, under heading "UNFAIR SALES", 1938, 410 § 1 (defining and prohibiting unfair sales practices, with a view to preventing the advertising or offering for sale, or the selling below cost, of merchandise for the purpose of injuring competitors or destroying competition). (See 1941, 715.)

SECT. 14E, paragraphs (a) and (b) amended, 1939, 189 § 1; paragraph (h) added at end, 1939, 189 § 2.

SECT. 14F revised, 1941, 494.

Caption immediately preceding section 21 amended, 1939, 343 § 3.

SECT. 18A added, 1953, 211 (requiring laundries and dry cleaning establishments to file their identification markings with the commissioner of public safety).

SECT. 21 amended, 1939, 343 § 1; 1941, 583 § 1; 1954, 257 § 1.

SECTS. 21A-21D added, 1941, 583 § 2 (defining and further regulating private trade schools).

SECT. 21A revised, 1954, 257 § 2.

SECT. 21B revised, 1952, 499 § 3; amended, 1954, 257 § 3.

SECT. 21C amended and sentence added at end, 1954, 681 § 6. (See 1954, 681 §§ 20, 22.)

SECT. 21D amended, 1954, 257 § 4.

SECT. 22 amended, 1939, 343 § 2; 1941, 583 § 3.

SECT. 24 revised, 1949, 711 § 1.

SECT. 24A added, 1949, 711 § 2 (relative to licenses for the conduct of collection agencies).

SECTS. 28A-28D added, under heading "REGULATING CLOSING OUT SALES, SO CALLED, AND SIMILAR TYPES OF SALES", 1938, 165.

SECT. 28A revised, 1939, 207; 1948, 550 § 8; 1950, 473; 1953, 164 § 1.

SECT. 28B stricken out, 1953, 164 § 2.

SECT. 28E added, 1950, 511 (granting to the superior court jurisdiction in equity to restrain certain violations of the law regulating closing out sales).

SECT. 29, heading and section amended, 1946, 612 § 3. (See 1946, 612 §§ 5, 6.)

SECT. 30 revised, 1945, 233.

SECT. 30A revised, 1946, 612 § 4.

SECT. 34. For temporary act to enable savings banks and certain other banking institutions to co-operate in the distribution of United States defense savings bonds and defense postal savings stamps, see 1941, 221, 575.

Chapter 94. — Inspection and Sale of Food, Drugs and Various Articles.

SECT. 1, paragraph in lines 128-132 (defining "pasteurized milk") revised, 1932, 158; section amended in part, 1933, 67 §§ 1-5; paragraph (defining "milk plant" and "manufactory") added, 1933, 338 § 1; paragraph in lines 30-36 (defining "butter" and "cheese") stricken out and new paragraph defining "butter" inserted, 1937, 335 § 1; paragraph in line 40 reading, "cheese", see "butter", stricken out and four new paragraphs inserted, 1937, 335 § 2 (defining cheese and cream cheese); paragraph (defining "bakery") amended, 1937, 362 § 1; paragraphs in lines 148-164 (defining "agricultural seeds" or "agricultural seed", "noxious weed seeds" and "weed seeds") revised and definition of "vegetable seeds" added, 1938, 363 § 1; last four definitions stricken out, 1946, 377 § 1; paragraph in lines 177-181 revised, 1939, 196 § 1; five paragraphs (defining "enriched bread", "enriched flour", "person", "rolls" and "white bread") added, 1948, 444 § 1; paragraph (defining "food") revised, 1949, 334 § 9. (See 1937, 362 § 7.)

SECT. 6 amended, 1937, 362 § 2. (See 1937, 362 § 7.)

SECT. 7 amended, 1941, 490 § 19.

SECT. 8 revised, 1937, 53.

SECT. 9 amended, 1939, 261 § 6.

SECTS. 9A-9M added, 1937, 362 § 3 (changing the position in the General Laws of certain provisions of law relative to bakeries). (For prior legislation, see G. L. chap. 111 §§ 34-43, 46-49, repealed by 1937, 362 § 6.) (See 1937, 362 §§ 6, 7.)

SECT. 10 amended, 1937, 362 § 4. (See 1937, 362 § 7.)

SECTS. 10A-10E stricken out, and new sections 10A-10G (regulating the manufacture, bottling and sale of certain non-alcoholic beverages) inserted, 1935, 441.

SECT. 10F amended, 1941, 119.

SECTS. 10H-10K added, 1948, 444 § 2 (relative to enrichment of bread and flour).

SECTS. 12-48A. For temporary legislation establishing within the department of agriculture a milk control board, and defining its powers and duties, see note to G. L. chapter 94A, inserted by 1941, 691 § 2.

SECTS. 13, 14, 14A and 15 stricken out, and new sections 13-13E (relative to the grading of milk) inserted, 1933, 263 § 1. (See 1933, 263 § 3.)

SECT. 13A revised, 1948, 227.

SECT. 16 stricken out and sections 16-16I (regulating the production, sale and distribution of milk) inserted, 1932, 305 § 3. (See 1932, 305 §§ 5, 6.)

SECT. 16C amended, 1941, 374; revised, 1946, 467.

SECTS. 16J-16L added, 1946, 542 (relative to the regulation of transportation, handling and sale of milk).

SECT. 16K revised, 1947, 379.

SECT. 17A amended, 1933, 124.

SECT. 18 revised, 1933, 263 § 2. (See 1933, 263 § 3.)

SECT. 20 revised, 1939, 212.

SECT. 29A revised, 1933, 253; 1946, 447 § 1.

SECT. 30 revised, 1933, 253; 1946, 447 § 2.

SECT. 31 revised, 1933, 253; 1946, 447 § 3.

SECT. 40 amended, 1941, 298.

SECT. 42A stricken out, and new sections 42A-42K (requiring dealers in milk or cream to be licensed and bonded) inserted, 1933, 338 § 2; affected, 1939, 421.

SECT. 42A amended, 1935, 126.

SECT. 42F revised, 1934, 180 § 1.

SECT. 42H, paragraph 2 revised, 1934, 180 § 2.

SECT. 43 revised, 1932, 305 § 4; amended, 1935, 88; first paragraph amended, 1936, 210. (See 1932, 305 §§ 5, 6.)

SECT. 45 revised, 1935, 317; 1948, 550 § 9.

SECT. 48B added, 1935, 259 (requiring institutions supported wholly or in part by funds of the commonwealth to use milk, other than cream and certified milk, produced within the commonwealth).

SECT. 48C added, 1939, 317 (regulating the manufacture, sale and delivery of certain milk beverages, so called).

SECT. 49, sentence added at end, 1948, 453 § 3.

SECT. 50 amended, 1937, 335 § 3.

SECT. 52 amended, 1948, 550 § 10; revised, 1949, 297 § 2; repealed, 1954, 262.

SECT. 54 amended, 1948, 453 § 1.

SECTS. 56 and 57 repealed, 1954, 262.

SECT. 58 amended, 1948, 453 § 2.

SECT. 60 revised, 1934, 373 § 2.

SECT. 61A added, 1937, 335 § 4 (relative to the manufacture and sale of certain cheese).

SECTS. 64, 64A, 65, 65A, 65B, 65E and 65F, and the caption of said section 64, stricken out, and sections 65G-65S inserted, under caption "FROZEN DESSERTS AND ICE CREAM MIX", 1934, 373 § 1. (See 1934, 373 § 8.)

SECT. 65G, definition of "Ice Cream" revised, 1950, 236; definition of "Stabilizer" revised, 1954, 664 § 1; "Sugar" defined, 1954, 664 § 2.

SECT. 65J, second paragraph revised, 1937, 341 § 1.

SECT. 65L, subdivision (c) amended, 1937, 341 § 2.

SECT. 65P, paragraph (f) added at end, 1937, 341 § 3.

SECT. 66A added, 1945, 109 (making certain laws relative to cold storage warehouses inapplicable to locker plants, so called).

SECT. 74 revised, 1933, 329 § 5; repealed, 1941, 598 § 2.

SECT. 74A added, 1933, 329 § 6 (definition of "fish"); repealed, 1941, 598 § 2.

SECTS. 75 and 76 repealed, 1933, 329 § 7.

SECT. 77, first sentence stricken out, 1933, 329 § 8; repealed, 1941, 598 § 2.

SECT. 77A added, 1934, 216 (regulating the importation of fresh swordfish).

SECT. 78 revised, 1933, 329 § 9; repealed, 1941, 598 § 2.

SECT. 78A added, 1933, 329 § 10 (prohibiting certain misrepresentations in the sale of lobsters); repealed, 1941, 598 § 2.

SECT. 79 repealed, 1933, 329 § 7.

SECT. 80 repealed, 1941, 598 § 2.

SECT. 81 revised, 1933, 329 § 11; 1939, 491 § 10; repealed, 1941, 598 § 2. (See 1939, 491 § 12.)

SECT. 82 repealed, 1941, 598 § 2.

SECT. 83 revised, 1933, 329 § 12; repealed, 1941, 598 § 2.

SECT. 85 amended, 1939, 261 § 7.

SECT. 88A revised, 1933, 329 § 13; repealed, 1941, 598 § 2.

SECT. 88B added, 1936, 176 (requiring that shucked scallops and quahaugs in the shell be sold only by weight).

SECT. 90A added, 1935, 369 (relative to the sale and distribution of eggs).

SECT. 90B added, 1938, 404 (establishing standard sizes in connection with the sale and distribution of eggs); revised, 1951, 266.

SECT. 92B added, under caption "MEATS AND POULTRY", 1935, 97 (requiring the retail sale of meats and poultry to be by weight).

SECT. 98 amended, 1939, 261 § 8.

SECT. 99A amended, 1939, 261 § 9; sentence inserted after fourth sentence, 1952, 121.

SECT. 117A, first sentence amended, 1951, 600 § 1. (See 1951, 600 § 3.)

SECTS. 117G-117L added, 1951, 600 § 2 (relative to the grading and marking of potatoes). (See 1951, 600 § 3.)

SECT. 118 amended, 1943, 332 § 1.

SECT. 119 amended, 1943, 332 § 2; 1949, 334 § 1.

SECT. 120 amended, 1943, 332 § 3; revised, 1949, 334 § 2.

SECT. 120A amended, 1943, 332 § 4; revised, 1949, 334 § 3.

SECT. 123 amended, 1932, 180 § 15; 1943, 332 § 5.

SECT. 124 revised, 1943, 508 § 1.

SECT. 126 amended, 1946, 213 § 1.

SECT. 128 amended, 1946, 213 § 2.

SECT. 129 revised, 1946, 213 § 3; amended, 1949, 334 § 4.

SECT. 130 amended, 1946, 213 § 4; 1949, 334 § 5.

SECT. 131 revised, 1943, 332 § 6; 1949, 334 § 6; first paragraph amended, 1952, 201; paragraph added at end, 1950, 317.

SECT. 132 amended, 1949, 334 § 7.

SECT. 133 amended, 1943, 332 § 7; 1946, 213 § 5.

SECT. 133A added, 1946, 213 § 6 (further regulating the slaughtering of certain animals).

SECT. 134 amended, 1946, 213 § 7.

SECT. 135 amended, 1943, 332 § 8.

SECT. 137 amended, 1949, 334 § 8.

SECT. 138 amended, 1943, 508 § 2.

SECT. 139 amended, 1946, 213 § 8.

SECT. 139A added, 1945, 679 (relative to the establishment and operation of poultry slaughtering houses); last paragraph revised, 1948, 339.

SECT. 146, first paragraph amended, 1934, 340 § 6; 1943, 508 § 3; second paragraph amended, 1952, 387. (See 1934, 340 § 18.)

SECT. 148, second paragraph amended, 1934, 340 § 6A. (See 1934, 340 § 18.)

SECT. 151 revised, 1943, 508 § 4.

SECT. 151A added, 1948, 189 (regulating the sale of horse meat for food in certain places); revised, 1953, 136.

SECTS. 152A-152C added, 1934, 296 (relative to the sale and transportation of poultry).

- SECT. 152A amended, 1935, 157 § 1; 1949, 446 § 1.
SECT. 152B revised, 1935, 157 § 2.
SECT. 152D added, 1949, 446 § 2 (relative to the bonding of licensees engaged in the business of buying or selling poultry).
SECT. 153A added, 1933, 116 (relative to the sale of meat and meat products containing certain preservatives); revised, 1933, 311; 1945, 165.
SECT. 172 revised, 1939, 122.
SECT. 174A added, 1945, 92 § 1 (fixing standard weights of containers for certain flours, etc.); revised, 1946, 92.
SECT. 175 repealed, 1945, 92 § 2.
SECT. 177 revised, 1946, 176.
SECT. 181 amended, 1939, 261 § 10.
SECT. 182 amended, 1939, 261 § 11.
SECT. 184 amended, 1939, 261 § 12.
SECT. 185A repealed, 1937, 341 § 4.
SECT. 186 revised, 1948, 598 § 1.
SECT. 187 revised, 1948, 598 § 2; paragraph in lines 65-67 revised, 1954, 577 § 1; definitions of "Oral prescription", "Written prescription" and "Pharmacist" inserted, 1954, 577 § 2.
SECT. 187A added, 1948, 598 § 3 (further regulating the sale of certain harmful drugs); revised, 1954, 577 § 3. (See 1954, 577 § 4.)
SECT. 189, first sentence amended, 1948, 598 § 4.
SECT. 189A added, 1948, 598 § 5 (relative to the adulteration or misbranding of food and drugs).
SECT. 192 revised, 1948, 598 § 6.
SECT. 193 revised, 1948, 598 § 7.
SECT. 196 repealed, 1948, 598 § 8.
SECT. 197, paragraph in lines 10-15 revised, 1935, 412 § 1; amended, 1943, 305 § 1; fourth paragraph revised, 1943, 305 § 2.
SECT. 198 amended, 1935, 412 § 2; sixth sentence revised, 1948, 473.
SECTS. 198A and 198B added, 1935, 412 § 3 (relative to the licensing of certain dealings in narcotic drugs).
SECT. 201 amended, 1935, 412 § 4.
SECT. 203 amended, 1935, 412 § 5.
SECT. 206 amended, 1935, 412 § 6.
SECT. 209 revised, 1945, 509; 1954, 226 § 1.
SECT. 209A revised, 1954, 226 § 2.
SECT. 211 amended, 1935, 412 § 7; revised, 1938, 321 § 1.
SECT. 212 amended, 1938, 321 § 2; 1951, 575.
SECT. 212A added, 1938, 321 § 3 (providing for the arrest without a warrant and punishment of a person present where a narcotic drug is unlawfully kept or deposited).
SECT. 214 amended, 1935, 412 § 8; 1943, 357.
SECT. 215 amended, 1935, 412 § 9.
SECT. 217 amended, 1935, 412 § 10.
SECT. 225, paragraph added at end, 1939, 69.
SECT. 239A amended, 1939, 261 § 13.
SECT. 244 amended, 1941, 155 § 1.
SECT. 245 revised, 1933, 94 § 2; amended, 1939, 261 § 13A; revised, 1941, 155 § 2.
SECT. 246 revised, 1941, 155 § 4.
SECT. 248 amended, 1934, 184; 1939, 261 § 14; revised, 1943, 241 § 1; amended, 1946, 222; revised, 1952, 99.

SECT. 249A amended, 1939, 261 § 15.

SECT. 249B amended, 1939, 261 § 16.

SECT. 249E revised, 1943, 241 § 2.

SECT. 249E½ added, 1943, 241 § 3 (relative to the allowable amount of non-combustible residue of coal and coke).

SECT. 249F amended, 1939, 261 § 17; 1943, 241 § 4.

SECT. 249G added, under caption "MATERIAL FOR ROAD CONSTRUCTION", 1933, 94 § 1 (authorizing certain officers to direct the weighing of material for road construction); amended, 1939, 261 § 17A; repealed, 1941, 155 § 3.

SECT. 250 revised, 1933, 67 § 6.

SECT. 252 amended, 1933, 67 § 7.

SECT. 254 amended, 1933, 67 § 8.

SECT. 255 amended, 1933, 67 § 9.

SECT. 256 revised, 1933, 67 § 10.

SECT. 257 revised, 1933, 67 § 11.

SECT. 258 revised, 1933, 67 § 12.

Sects. 261A-261L, as amended, stricken out, and new sections 261A-261K inserted, 1946, 377 § 2.

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

SECT. 270, paragraph added at end, 1937, 176.

SECTS. 270A and 270B added, 1935, 439 (providing for the sterilization of feathers, down and second-hand material intended for use in the manufacture of any article of bedding or of upholstered furniture).

SECT. 270C added, 1939, 196 § 2 (relative to the marking of certain articles of bedding and upholstered furniture consisting in whole or in part of second-hand metal).

SECT. 270D added, 1939, 351 (further regulating the sale within the commonwealth of articles of bedding and upholstered furniture); repealed, 1941, 57.

SECT. 276 amended, 1939, 196 § 3.

SECT. 277A added, 1941, 422 (requiring the marking or labelling of furs, imitation furs and articles made therefrom, and prohibiting misrepresentation in such marks or labels).

SECT. 283 amended, 1939, 261 § 17B.

SECT. 285 revised, 1950, 110 § 1.

SECT. 286 revised, 1950, 110 § 2.

SECT. 287 revised, 1950, 110 § 3.

SECT. 288 revised, 1950, 110 § 4.

SECT. 295A added, under heading "PETROLEUM PRODUCTS", 1933, 228 (relative to prevention of fraud and misrepresentation in the sale of gasoline, lubricating oils and other motor fuels, and to prevention of the adulteration thereof).

SECTS. 295B and 295C added, 1938, 411 (prohibiting and penalizing the use of misleading signs relating to the price of gasoline and other motor fuel).

SECT. 295C revised, 1939, 218.

SECTS. 295A-295C stricken out, and new sections 295A-295O inserted, 1939, 459 § 1 (further regulating the advertising and sale of motor fuel at retail). (See 1939, 459 § 3.)

SECT. 295A amended and paragraph (6) inserted, 1950, 515 § 1.

SECT. 295B, first paragraph amended, 1950, 497.

SECT. 295G revised, 1941, 311; paragraph added at end, 1950, 496.

SECTS. 295P-295W added, 1950, 515 § 2 (to prevent unfair discrimination, competition and destructive trade practices in the retail sale of motor fuel).

SECT. 298 amended, 1934, 109 § 1.

SECT. 299 amended, 1934, 109 § 2.

SECTS. 303A-303E added, under caption "METHYL OR WOOD ALCOHOL", 1934, 372 § 3 (relative to such alcohol and to certain preparations containing such alcohol).

SECT. 303A amended, 1935, 342; 1936, 53.

SECT. 303B amended, 1937, 177 § 1.

SECT. 303C revised, 1937, 177 § 2.

SECT. 303F added, under caption "FUEL OILS", 1935, 95 (regulating the sale of fuel oils); amended, 1952, 107.

SECT. 305A amended, 1937, 362 § 5. (See 1937, 362 § 7.)

Chapter 94A. — Milk Control.

New chapter inserted, 1941, 691 § 2. (See 1941, 691 §§ 3-6.)

For prior temporary legislation establishing within the department of agriculture a milk control board, and defining its powers and duties, see 1934, 376; term of office of said board extended, 1936, 300; 1938, 334; 1939, 413; 1941, 418 § 1; 631 § 1; legislation amended, 1937, 428; 1938, 279; 1939, 302.

SECT. 1, paragraph defining "Board" stricken out and definition of "Commission" inserted, 1953, 604 § 2.

SECTS. 2-11 amended, 1953, 604 § 3.

SECT. 12 revised, 1950, 756; amended, 1953, 604 § 4.

SECT. 12A added, 1943, 445 (defining the powers and duties of the milk control board in case of a failure to pay the official minimum price for the sale or delivery of milk); amended, 1953, 604 § 3.

SECT. 13, subsections (e) and (f) added at end, 1945, 134 (relative to the furnishing to the milk control board of certain information by licensed milk dealers); first paragraph of subsection (e) revised, 1946, 312; amended, 1953, 604 § 3. (See 1945, 409.)

SECTS. 14-21 amended, 1953, 604 § 3.

SECT. 21, fourth sentence revised and seventh sentence stricken out, 1954, 681 § 7. (See 1954, 681 §§ 20-22.)

SECT. 22 revised, 1943, 164; amended, 1953, 604 § 5.

SECT. 22A added, 1943, 147 (in aid of the construction and enforcement of the state milk control law, so called).

SECT. 24 amended, 1953, 604 § 3.

Chapter 95. — Measuring of Leather.

SECT. 1 amended, 1939, 261 § 18.

Chapter 96. — Measurement of Lumber.

SECT. 11A added, 1945, 145 (adopting the international log rule as standard for determining the board feet content of saw logs).

Chapter 97. — Surveying of Land.

SECTS. 8-13 added, 1941, 47 (defining and authorizing the use of a system of plane co-ordinates for designating and stating positions of points on the surface of the earth within the commonwealth).

Chapter 98. — Weights and Measures.

SECT. 1 amended, 1939, 261 § 19.

SECT. 12, second paragraph revised, 1948, 373.

SECT. 14A amended, 1936, 73.

SECT. 15 revised, 1953, 259 § 1. (See 1953, 259 § 2.)

SECT. 20 amended, 1934, 373 § 3.

SECT. 21 amended, 1934, 373 § 4.

SECT. 22 amended, 1939, 261 § 19A; revised, 1941, 59; amended, 1953, 86.

SECT. 28A added, 1950, 425 (regulating the sealing and testing of meters used for measuring liquefied petroleum gas).

SECT. 29, paragraph added at end, 1945, 273.

SECT. 30 repealed, 1935, 60 § 2.

SECT. 32 amended, 1935, 60 § 3.

SECT. 37 amended, 1936, 72.

SECT. 41 amended, 1941, 462.

SECT. 56, paragraph ($b\frac{1}{2}$) added, 1934, 98 (establishing fees for sealing certain liquid-measuring meters); section revised, 1937, 74; paragraph ($b\frac{1}{2}$) added, 1937, 305 § 1; section revised, 1949, 34 § 1. (See 1937, 305 § 2; 1949, 34 § 2.)

SECT. 56A added, 1941, 60 (relative to the location of scales and other weighing devices used in weighing food sold at retail by weight).

Chapter 99. — The Metric System of Weights and Measures.

SECT. 1 amended, 1939, 261 § 20.

SECT. 3 amended, 1939, 261 § 21.

SECT. 4 amended, 1939, 261 § 22.

Chapter 100. — Auctioneers.

SECT. 1, paragraph added at end, 1936, 209 § 1.

SECT. 2 revised, 1941, 81; 1948, 550 § 11; 1949, 297 § 3.

SECT. 5 amended, 1932, 156 § 1.

SECT. 6 revised, 1948, 550 § 12; 1949, 297 § 4.

SECT. 14 revised, 1932, 156 § 2; 1948, 550 § 13; 1949, 297 § 5.

SECT. 16 revised, 1932, 156 § 3.

SECTS. 18-21 added, 1936, 209 § 2 (relative to bankruptcy auctions and other auctions of similar type and relative to certain fraudulent practices at auctions).

SECT. 18 revised, 1948, 550 § 14; 1949, 297 § 6.

Chapter 101. — Transient Vendors, Hawkers and Pedlers.

SECT. 1, second paragraph revised, 1936, 218; section amended, 1941, 490 § 21.

SECT. 2 amended, 1948, 372.

SECT. 3 amended, 1939, 261 § 23; 1941, 490 § 22; second sentence revised, 1948, 493 § 1. (See 1948, 493 § 5.)

SECT. 5 amended, 1933, 254 § 64. (See 1933, 254 § 66.)

SECT. 6A added, 1938, 85 (providing that applications for transient vendors' licenses shall contain irrevocable power of attorney for service of process, and providing for service of process under authority thereof).

SECT. 15 amended, 1937, 214; revised, 1937, 333.

SECT. 16 revised, 1935, 42; amended, 1937, 130.

SECT. 19 amended, 1934, 114; 1937, 73.

SECT. 22, sentence added at end, 1948, 493 § 2. (See 1948, 493 § 5.)

SECT. 23, sentence added at end, 1948, 493 § 3. (See 1948, 493 § 5.)

SECT. 24 amended, 1936, 74; 1945, 493 § 1; 1951, 395; sentence added at end, 1948, 493 § 4; section revised. 1954, 627 § 22. (See 1945, 493 § 2; 1948, 493 § 5; 1954, 627 §§ 65, 67.)

SECT. 27 amended, 1941, 490 § 23.

SECT. 30 amended, 1934, 77.

SECT. 32 amended, 1941, 490 § 24.

SECT. 33 amended, 1945, 160.

Chapter 102. — Shipping and Seamen, Harbors and Harbor Masters.

SECT. 15 revised, 1932, 232 § 1.

SECT. 15A added, 1932, 232 § 2 (penalty for improper operation of motor and other boats).

SECT. 15B added, 1950, 678 (relative to the regulation of the operation of motor boats upon rivers or inland lakes).

SECT. 17 revised, 1932, 57.

Chapter 103. — Pilots.

SECT. 31 revised, 1953, 41.

Chapter 105. — Public Warehouses.

SECT. 1 amended, 1935, 310 § 1.

SECTS. 2A and 2B added, 1935, 122 § 1 (relative to the termination of liability of sureties on bonds furnished by public warehousemen). (See 1935, 122 § 3.)

SECT. 2C added, 1947, 499 (authorizing the keeping and maintenance of certain public warehouses without a license).

SECT. 6 revised, 1935, 122 § 2. (See 1935, 122 § 3.)

SECT. 9, clause (*h*) revised, 1935, 310 § 2.

SECT. 26 amended, 1948, 145.

SECT. 33, paragraph added at end, 1946, 172.

Chapter 107. — Money and Negotiable Instruments.

SECT. 5 revised, 1947, 55.

SECT. 31 amended, 1941, 215.

SECT. 45A added, 1953, 439 (relative to the use of facsimile signatures in the drawing of checks by treasurers of public bodies).

SECT. 107 amended, 1950, 287 § 2.

SECT. 111A added, 1947, 167 (relative to the time for payment by banks of checks and other instruments); repealed, 1950, 287 § 3.

Chapter 107A. — Assignments of Accounts Receivable.

New chapter inserted, 1945, 141 § 1. (See 1945, 141 § 2.)

Chapter 108A. — Partnerships.

SECT. 34, first paragraph amended, 1932, 180 § 16.

Chapter 110. — Labels, Trade Marks, Names and Registration thereof.

SECT. 4B added, 1946, 169 § 1 (penalizing the use for trade purposes of the words "Army", "Navy" and other words denoting branches of the United States Government); amended, 1948, 466. (See 1946, 169 § 3.)

SECT. 5 revised, 1948, 550 § 15; 1952, 32 § 1.

SECT. 7A added, 1947, 307 (authorizing injunctive relief in certain cases of trade mark infringement or unfair competition).

SECT. 17 revised, 1948, 550 § 16.

SECT. 20 amended, 1953, 319 § 13. (See 1953, 319 §§ 39, 40.)

SECT. 21 amended, 1934, 373 § 5; revised, 1948, 550 § 17.

SECT. 25 amended, 1953, 319 § 14. (See 1953, 319 §§ 39, 40.)

SECT. 26 amended, 1946, 169 § 2.

Chapter 110A. — Promotion and Sale of Securities.

Chapter stricken out and new chapter 110A inserted, 1932, 290 § 1. (See 1932, 290 §§ 3, 4.)

The following references are to chapter 110A as so inserted:

SECT. 2, paragraph (a) revised, 1939, 442 § 4; paragraph (c) amended, 1936, 316; 1938, 445 § 2; paragraph (f) revised, 1938, 445 § 3.

SECT. 3, paragraph ($i\frac{1}{2}$) inserted, 1945, 288 § 1; last paragraph revised, 1945, 288 § 2; section revised, 1954, 558 § 1.

SECT. 4, paragraph (g) revised, 1938, 445 § 4; paragraph (h) stricken out, 1954, 558 § 2; paragraph (j) added, 1938, 445 § 5.

SECT. 5, paragraph inserted before the last paragraph, 1938, 445 § 6; same paragraph amended, 1954, 558 § 3.

SECT. 9, last sentence stricken out, 1938, 445 § 7.

SECT. 10, second sentence revised, 1954, 558 § 4; fourth sentence stricken out and two new sentences inserted, 1938, 445 § 8; three sentences added at end of first paragraph, 1954, 558 § 5.

SECT. 11 amended, 1950, 822 § 2.

SECT. 11A added, 1938, 445 § 9 (regulating the sale by a corporation of its securities to employees). [For prior legislation, see General Laws, chapter 155 § 23A, repealed by 1938, 445 § 13.]

SECT. 11A stricken out and sections 11A-11E inserted, 1950, 822 § 3 (relative to the sale of securities on the installment plan).

SECT. 12 revised, 1938, 445 § 10; last paragraph amended, 1939, 442 § 5.

SECT. 12A added, 1938, 445 § 11 (relative to the modifying or annulling by the commission of orders or findings made by the director of the securities division and to review of such action); repealed, 1939, 442 § 6.

SECT. 13 amended, 1936, 68.

SECT. 18 revised, 1938, 445 § 12.

Chapter 111. — Public Health.

For temporary legislation providing for a dental research program for the training of feminine personnel, see 1949, 473; repealed, 1950, 667.

SECT. 1, paragraph added at end, 1938, 265 § 6; "Inland waters" defined, 1951, 448 § 1.

SECTS. 1A and 1B added, 1951, 552 (providing that certain laws relating to pollution or contamination of waters shall apply to governmental agencies).

SECT. 3 revised, 1946, 152.

SECTS. 4A-4C added, 1950, 800 (relative to the establishment of alcoholic clinics).

SECT. 4A, two sentences added at end of first paragraph, 1954, 581 § 3. (See 1954, 581 §§ 4, 5.)

SECT. 5, paragraph added at end, 1941, 388; same paragraph revised, 1945, 615.

SECT. 5A added, 1941, 612 (relative to the preparation and distribution by the department of public health of products applicable to the prevention or cure of diseases of man).

SECT. 6 revised, 1938, 265 § 7; sentence added at end, 1948, 129 § 1.

SECT. 11 revised, 1934, 328 § 1.

SECT. 12 revised, 1943, 331 § 1.

SECT. 13, last sentence revised, 1943, 331 § 2.

SECT. 15 amended, 1934, 340 § 7. (See 1934, 340 § 18.)

SECT. 16 amended, 1934, 340 § 8. (See 1934, 340 § 18.)

SECT. 17 amended, 1937, 340.

SECT. 20 revised, 1947, 76.

SECT. 24 amended, 1937, 365; revised, 1939, 234; 1945, 292 § 10.

SECT. 26 revised, 1946, 268 § 1.

SECTS. 26A-26E added, 1946, 268 § 2 (relative to the replacement of a board of health of a city by a health department).

SECT. 27A revised, 1932, 209.

SECTS. 27B and 27C added, 1953, 600 § 1 (relative to the organization of regional health districts). (See 1953, 600 § 2.)

SECT. 27B, fifth paragraph amended, 1954, 273; sixth paragraph amended, 1954, 681 § 8. (See 1954, 681 §§ 20-22.)

SECT. 31 amended, 1937, 285.

SECT. 31A stricken out, and new sections 31A and 31B inserted, 1937, 282.

SECT. 31A, paragraph added at end, 1945, 423.

SECT. 31C added, 1954, 672 § 4 (relative to the control of atmospheric pollution by local boards of health).

SECTS. 34-43 and 46-49, and the caption preceding section 34, repealed, 1937, 362 § 6. (See 1937, 362 §§ 1-5, 7.)

SECT. 51 revised, 1943, 16 § 1.

SECT. 53 amended, 1943, 16 § 2.

SECT. 54 amended, 1943, 16 § 3.

SECT. 57A added, 1943, 436 § 1 (permitting the department of public health to establish and maintain cancer clinics). (See 1943, 436 § 2.)

SECT. 57B added, 1953, 382 (relative to the establishing and maintenance of muscular dystrophy clinics).

SECT. 57C added, 1954, 538 § 1 (creating facilities for care of the aging).

SECTS. 58-62, and caption preceding section 54, stricken out, and new sections 58-62 inserted under the caption "Agencies giving day care to children," 1950, 205.

SECTS. 62I-62S added, 1954, 508 § 1 (establishing the Massachusetts hospital school and hospital for state minor wards). (See 1954, 508 §§ 3-5.)

SECT. 65 revised, 1951, 562 § 1; 1952, 270 § 1. (See 1951, 562 § 11; 1952, 270 § 10.)

SECT. 65A amended, 1936, 346 § 1; 1941, 506; revised, 1948, 412; amended, 1952, 492; revised, 1953, 383; 1954, 538 § 2. (See 1936, 346 § 2.)

SECT. 65B added, 1945, 453 (providing for the admission of children suffering from rheumatic heart disease to the North Reading state sanatorium).

SECT. 66 amended, 1934, 219; first sentence revised, 1947, 630; section revised, 1951, 562 § 2; 1952, 270 § 2. (See 1936, 346 § 2; 1951, 562 §§ 10, 11; 1952, 270 § 10.)

SECT. 66A added, 1937, 392 (permitting the admission to state sanatoria and county tuberculosis hospitals, for purposes of diagnosis and observation, of certain patients with diseases of the lungs other than recognizable tuberculosis).

SECTS. 67A-67D added, under caption "CARE OF CERTAIN INFANTS PREMATURELY BORN", 1937, 332.

SECT. 67A revised, 1939, 246 § 1; 1949, 601 § 1.

SECT. 67B revised, 1949, 601 § 2.

SECT. 67C revised, 1939, 246 § 2; amended, 1945, 535; revised, 1949, 601 § 3.

SECT. 69A amended, 1936, 337 § 1.

SECT. 69B revised, 1953, 562.

SECT. 69C amended, 1936, 337 § 2; revised, 1953, 562.

SECT. 69D revised, 1953, 562.

SECTS. 69E-69I added, 1954, 522 (relative to admissions to and charges at the Lemuel Shattuck hospital).

SECT. 70 amended, 1941, 194 § 5, 389 § 1; 1945, 291.

SECTS. 71-73 stricken out and sections 71-72A and 73 inserted, 1941, 661 § 1. (See 1941, 661 § 2.)

SECTS. 71-72A and 73 stricken out and new sections 71-72A and 73 inserted, 1952, 602 § 9. (See 1952, 602 § 18.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

SECT. 71, tenth sentence revised, 1954, 538 § 3.

SECT. 74 amended, 1941, 72.

SECT. 76 revised, 1951, 562 § 3; 1952, 270 § 3. (See 1951, 562 § 11; 1952, 270 § 10.)

SECT. 77 revised, 1951, 562 § 4; 1952, 270 § 4. (See 1951, 562 § 11; 1952, 270 § 10.)

SECTS. 78-90 affected (as to district of Chelsea, Revere and Winthrop), 1934, 78.

SECT. 78 revised, 1946, 310 § 1; 1951, 562 § 5; 1952, 270 § 5. (See 1945, 505; 1951, 562 § 11; 1952, 270 § 10.)

SECT. 79 revised, 1936, 343; first paragraph amended, 1954, 538 § 4.

SECT. 80 revised, 1951, 562 § 6; 1952, 270 § 6. (See 1951, 562 § 11; 1952, 270 § 10.)

SECT. 83A added, 1933, 318 § 6 (relative to the indemnification or protection of officers and employees of tuberculosis hospital districts in connection with actions for personal injuries arising out of the operation of vehicles owned by such districts); amended, 1934, 291 § 5. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 85, first sentence revised, 1943, 414 § 1; section revised, 1943, 500 § 1; 1951, 562 § 7; 1952, 270 § 7. (See 1943, 500 § 3; 1951, 562 § 11; 1952, 270 § 10.)

SECT. 85A revised, 1932, 65.

SECT. 87 amended, 1945, 398 § 1.

SECT. 87A added, 1945, 398 § 2 (providing that trustees of Bristol county tuberculosis hospital shall be appointed by the governor). (See 1945, 398 §§ 4, 5.)

SECT. 88 revised, 1943, 500 § 2; 1946, 310 § 2; 1951, 562 § 8; 1952, 270 § 8. (See 1943, 500 § 3; 1951, 562 § 11; 1952, 270 § 10.)

SECT. 88A added, 1943, 500 § 2 (relative to charges for the support of patients in county tuberculosis hospitals); revised, 1946, 310 § 3; repealed, 1951, 562 § 9. (See 1943, 500 § 3; 1951, 562 § 11.)

SECT. 88B added, 1952, 270 § 9 (providing for admission of persons afflicted with pulmonary tuberculosis to certain hospitals in cases of emergency). (See 1952, 270 § 10.)

SECT. 91 amended, 1954, 538 § 5.

SECTS. 91A and 91B added, 1954, 538 § 6 (relative to the conversion of certain tuberculosis hospitals or facilities into homes for the care and treatment of aging persons).

SECT. 96 revised, 1938, 265 § 8.

SECT. 96A added, 1938, 265 § 9 (regulating the transportation to another town of a person infected with a disease dangerous to public health).

SECT. 97 revised, 1938, 265 § 10.

SECT. 104 revised, 1938, 265 § 11.

SECT. 107 revised, 1938, 265 § 12.

SECT. 109 revised, 1938, 265 § 13.

SECT. 109A added, 1936, 115 (relative to the treatment of infants' eyes at time of birth); amended, 1943, 46.

SECT. 110, second sentence amended, 1932, 180 § 17.

SECT. 111 revised, 1938, 265 § 14; second paragraph revised, 1948, 129 § 2.

SECT. 112 amended, 1938, 265 § 15.

SECT. 113 revised, 1938, 265 § 16.

SECT. 116, sentence in lines 24-32 amended, 1943, 275 § 1.

SECT. 116A added, under caption "CHRONIC RHEUMATISM", 1937, 393 (providing for the hospitalization of patients with chronic rheumatism).

SECT. 117 revised, 1935, 155; 1937, 391; amended, 1948, 129 § 3; paragraph added at end, 1954, 44.

SECT. 118 amended, 1933, 44; 1948, 129 § 4.

SECT. 119 amended, 1948, 129 § 5.

SECT. 120 repealed, 1948, 120.

SECT. 121 revised, 1945, 555; first two sentences revised, 1948, 129 § 6.

SECT. 121A added, 1939, 407 (requiring a serological test for syphilis of pregnant women).

SECT. 122A added, 1947, 148 (increasing the powers of boards of health with respect to the supplying of water for domestic purposes in

places of habitation and in places where the public is furnished food or drink).

SECT. 124, first sentence revised, 1949, 280.

SECT. 127 revised, 1937, 339.

SECT. 128, two paragraphs added at end, 1943, 468; first of said paragraphs amended, 1947, 631 § 2; paragraph inserted after same paragraph, 1947, 631 § 2; section repealed, 1954, 209 § 1.

SECT. 128A added, 1949, 156 § 1 (relative to the filling and levelling of sites of demolished or removed buildings).

SECTS. 128B-128E added, 1954, 209 § 2 (establishing minimum housing standards and defining the powers of local boards of health relative to dwelling places).

SECT. 128D, last sentence stricken out, 1954, 447 § 1.

SECT. 128F added, 1954, 447 § 2 (providing penalties for violations of the law establishing minimum housing standards and rules and regulations relative thereto).

SECT. 141 revised, 1937, 278.

SECT. 142A added, 1954, 672 § 3 (relative to the control of atmospheric pollution). (See 1954, 672 §§ 2, 5, 6.)

SECT. 143 revised, 1933, 269 § 2; 1948, 480 § 1.

SECT. 147 amended, 1948, 480 § 2.

SECT. 151 amended, 1943, 332 § 9.

SECT. 154 amended, 1934, 340 § 9. (See 1934, 340 § 18.)

SECT. 159 amended, 1951, 448 § 2.

SECT. 160 amended, 1951, 448 § 3.

SECT. 162 amended, 1951, 448 § 4.

SECT. 163 amended, 1951, 448 § 5.

SECT. 173A added, 1938, 293 (extending the jurisdiction of certain police officers employed to protect public sources of water supply from pollution).

SECT. 173B added, 1943, 84 (authorizing water commissioners and others to enter premises within the watersheds of certain sources of supply).

SECT. 175 revised, 1941, 353.

SECTS. 176-180 repealed, 1938, 265 § 17.

SECT. 184A added, 1939, 344 (authorizing the state department of public health to issue certificates of approval relative to bacteriological laboratories); second paragraph amended, 1946, 155 § 1; paragraph added at end, 1946, 155 § 2.

SECT. 184B added, 1950, 431 (restricting the establishment and maintenance of blood banks).

SECT. 185A added, 1945, 543 § 2 (relative to the furnishing of certain material for use in determining and recording the physical condition of school children).

Chapter 112. — Registration of Certain Professions and Occupations.

SECT. 2, second sentence revised, 1933, 171 § 1, 1936, 247 § 1; three paragraphs added at end of section, 1936, 247 § 2; section amended, 1938, 210; paragraph added at end, 1939, 415 § 1; section revised, 1939, 451 § 37; amended, 1941, 722 § 9; second sentence stricken out and four sentences inserted, 1945, 396 § 1; third sentence amended, 1952, 585 § 21; fourth sentence revised, 1954, 519 § 1; fifth and sixth

sentences (as appearing in 1939, 451 § 37) revised, 1948, 28; third paragraph revised, 1945, 396 § 2; paragraph inserted after fourth paragraph, 1948, 413; paragraph added at end, 1946, 365. Affected, 1938, 259; 1948, 221. (See 1933, 171 § 2; 1936, 247 §§ 3-6; 1939, 415 §§ 3, 4.)

SECT. 2A amended, 1945, 396 § 3; 1954, 519 § 2.

SECT. 5 revised, 1937, 425 § 12. (See 1937, 425 § 15.)

SECT. 8 revised, 1948, 550 § 18.

SECT. 9 revised, 1933, 152; 1945, 186.

SECT. 12 amended, 1948, 129 § 7.

SECT. 12A amended, 1943, 41.

SECT. 13 amended, 1937, 425 § 2. (See 1937, 425 § 15.)

SECT. 14 amended, 1937, 425 § 3. (See 1937, 425 § 15.)

SECT. 15 amended, 1937, 425 § 4. (See 1937, 425 § 15.)

SECT. 16 revised, 1937, 425 § 5; 1948, 557; 1950, 363 § 1; fourth paragraph amended, 1952, 585 § 22. (See 1937, 425 § 15; 1950, 363 § 2; 1951, 767.)

SECT. 17 revised, 1937, 425 § 6. (See 1937, 425 § 15.)

SECT. 17A added, 1937, 425 § 7 [defining certain duties of the board of registration in chiropody (podiatry)]. (See 1937, 425 § 15.)

SECT. 18 amended, 1937, 425 § 8. (See 1937, 425 § 15.)

SECT. 19 amended, 1937, 425 § 9; revised, 1951, 105. (See 1937, 542 § 15.)

SECT. 20 amended, 1937, 425 § 10. (See 1937, 425 § 15.)

SECT. 21 amended, 1937, 425 § 11; revised, 1948, 550 § 19. (See 1937, 425 § 15.)

SECT. 23 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)

SECTS. 23A-23P added, 1951, 656 § 1 (relative to the practice of physical therapy by registered physical therapists). (See 1951, 656 § 2.)

SECT. 24 amended, 1932, 227; 1933, 126; 1937, 343 § 1; revised, 1941, 52 § 1; amended, 1945, 502 § 1; 1952, 585 § 23. (See 1941, 52 § 2; 1943, 165; 1945, 502 §§ 2, 4.) Temporarily affected, 1948, 631; 1952, 361.

SECT. 24A added, 1945, 502 § 3 (relative to registrations and renewal of registrations as pharmacists and assistant pharmacists). (See 1945, 502 § 4.)

SECT. 24B added, 1946, 194 (relative to standards for schools and colleges of pharmacy); revised, 1947, 503.

SECT. 27 revised, 1934, 328 § 2; amended, 1937, 343 § 2.

SECT. 30 amended, 1937, 343 § 3.

SECT. 32 amended, 1934, 328 § 3.

SECT. 34 amended, 1934, 328 § 4.

SECT. 35 amended, 1934, 328 § 5; 1935, 306; 1937, 343 § 4; revised, 1948, 539 § 1.

SECT. 36 revised, 1934, 328 § 6.

SECTS. 36A-36D added, 1948, 539 § 2 (relative to the licensing of persons engaged in the sale, distribution or delivery, at wholesale, of drugs and medicines).

SECT. 38 revised, 1934, 236.

SECT. 39 amended, 1939, 138; 1951, 410; 1953, 281.

SECT. 40 amended, 1934, 328 § 6A; 1937, 343 § 5.

SECT. 42A added, 1937, 343 § 6 (relative to the retail drug business and pharmacy).

SECTS. 43-53 temporarily affected, 1949, 473.

SECT. 45, second sentence amended, 1932, 180 § 18; paragraph added at end, 1939, 415 § 2; section revised, 1949, 564 § 1. (See 1939, 415 § 3; 1948, 221.)

SECT. 45A amended, 1949, 564 § 2.

SECT. 46, clause Third amended, 1934, 108.

SECT. 49 revised, 1948, 270.

SECT. 50 amended, 1935, 344; revised, 1949, 333; 1954, 408 § 1.

SECT. 51 revised, 1949, 576.

SECT. 52 revised, 1948, 123; 1952, 117.

SECTS. 52A and 52B added, 1934, 281 (relative to methods and practices of dentists and dental hygienists).

SECT. 52A revised, 1937, 253; 1954, 408 § 2.

SECT. 52C added, 1954, 408 § 3 (restricting advertising by dental technicians).

SECT. 53 amended, 1949, 564 § 3.

SECT. 55 amended, 1937, 66; revised, 1939, 251 § 1; first paragraph amended, 1945, 724; 1952, 585 § 24; paragraph inserted, 1951, 433 § 1. (See 1939, 251 §§ 2, 3, 4; 1945, 711; 1951, 433 § 2; 1952, 585 §§ 25, 26.)

SECT. 59 revised, 1948, 224.

SECTS. 60A–60J added under caption “REGISTRATION OF ARCHITECTS”, 1941, 696 § 2. (See 1941, 696 §§ 3, 4.)

SECT. 60A, preliminary paragraph amended, 1945, 265 § 2.

SECT. 60B, second paragraph revised, 1953, 558 § 1.

SECT. 60C, clause (c) revised, 1943, 167.

SECT. 60D revised, 1953, 558 § 2. (See 1953, 558 § 4.)

SECT. 60E, paragraph added at end, 1953, 558 § 3.

SECTS. 60K–60M added, 1945, 265 § 1 (further regulating the practice of architecture).

SECT. 64 amended, 1954, 681 § 9. (See 1954, 681 §§ 20, 22.)

SECTS. 66–73 stricken out, and new sections 66–73 inserted, 1934, 339 § 2.

SECT. 69 revised, 1949, 463.

SECT. 70 revised, 1948, 550 § 20.

SECT. 72 amended, 1938, 434 § 1. (See 1938, 434 § 4.)

SECT. 73 amended, 1938, 434 § 2. (See 1938, 434 § 4.)

SECT. 73A added, 1937, 287 § 1 (regulating advertising in connection with the sale of eyeglasses, lenses or eyeglass frames). (See 1937, 287 § 2.)

SECT. 73B added, 1938, 434 § 3 (further regulating optometrists with respect to premises where practice may be carried on and to the sharing of their fees). (See 1938, 434 § 4.)

SECTS. 74–81 stricken out, and new sections 74–81C added, 1941, 620 § 3. (See 1941, 620 §§ 1, 4–12.)

SECT. 74, third sentence amended, 1948, 108; 1953, 350 § 4.

SECT. 74A, third sentence amended, 1951, 87; section revised, 1953, 350 § 5. (See 1953, 350 §§ 13, 14.)

SECT. 74B revised, 1953, 350 § 6.

SECT. 75 revised, 1953, 350 § 7.

SECT. 76 revised, 1953, 350 § 8.

SECT. 80A revised, 1953, 350 § 9.

SECT. 81 revised, 1953, 350 § 10.

SECT. 81A revised, 1953, 350 § 11.

SECT. 81B revised, 1953, 350 § 12.

SECTS. 81A-81Q inserted under caption "REGISTRATION OF PROFESSIONAL ENGINEERS AND OF LAND SURVEYORS", 1941, 643 § 2. (See 1941, 643 §§ 3-5.)

SECT. 81A, as so inserted, amended and renumbered 81D, 1941, 722 § 9A.

SECT. 81L amended, 1941, 722 § 9B.

SECTS. 81B-81Q, inclusive, inserted by 1941, 643 § 2, renumbered 81E-81T, inclusive, 1941, 722 § 9C.

SECTS. 82-87, and caption before said section 82, stricken out, and new sections 82-87 inserted, under caption "REGISTRATION OF EMBALMERS AND FUNERAL DIRECTORS", 1936, 407 § 3. (See 1936, 407 §§ 5-8.)

SECT. 82, definition of "Apprentice" inserted, 1945, 596 § 1; definition of "Funeral directing", revised, 1939, 160 § 1.

SECT. 83, third paragraph amended, 1939, 160 § 4; section revised, 1945, 596 § 2; 1948, 491.

SECT. 85 amended, 1941, 232.

SECT. 87 amended, 1937, 13; 1939, 160 § 2.

SECTS. 82-87 stricken out and sections 82-84, 84A, 85-87 inserted, 1954, 653 § 2. (See 1954, 653 §§ 3, 5, 6, 7.)

SECT. 87B amended, 1953, 510 § 2.

SECTS. 87F-87S. See 1937, 184.

SECT. 87F, paragraph contained in lines 4-9 revised, 1934, 260 § 1; "Instructor" and "Apprentice" defined, 1948, 579 § 1.

SECT. 87H, four sentences added at end, 1934, 260 § 2; section amended, 1936, 314 § 1; second paragraph amended, 1937, 94; same paragraph revised, 1941, 619 § 1; 1950, 319; amended, 1954, 355. (See 1941, 619 § 2.)

SECT. 87I amended, 1936, 314 § 2; revised, 1948, 579 § 2.

SECT. 87K, paragraph added at end, 1936, 314 § 3.

SECT. 87M amended, 1936, 314 § 4.

SECT. 87O amended, 1933, 149 § 2. (See 1933, 149 § 3.)

SECT. 87P amended, 1934, 260 § 3; two sentences added at end, 1950, 61; paragraph added at end, 1950, 440 § 1. (See 1950, 440 § 2.)

SECT. 87R amended, 1936, 314 § 5.

SECT. 87S, sentence added at end, 1952, 362.

SECTS. 87T-87JJ added, under caption "REGISTRATION OF HAIRDRESSERS", 1935, 428 § 2. (See 1935, 428 §§ 6, 7.)

SECT. 87T, definition of "Apprentice" stricken out and definition of "Instructor" added, 1941, 626 § 1; definition of "shop" revised, 1941, 626 § 2; section revised, 1943, 565 § 1.

SECT. 87U amended, 1937, 385 § 2; revised, 1941, 626 § 3; amended, 1949, 345.

SECT. 87V amended, 1937, 385 § 3; revised, 1941, 626 § 4; 1943, 565 § 2; 1950, 540 § 1. (See 1950, 540 § 3; 1953, 307.)

SECT. 87W amended, 1937, 385 § 4; revised, 1941, 626 § 5; 1943, 565 § 3; first paragraph revised, 1950, 540 § 2; sentence added at end, 1946, 550 § 2; 1951, 253. (See 1950, 540 § 3; 1953, 307.)

SECT. 87X revised, 1941, 626 § 6; 1943, 565 § 4; 1951, 273.

SECT. 87Y revised, 1949, 579.

SECT. 87Z amended, 1937, 385 § 5; revised, 1943, 565 § 5; paragraph added at end, 1953, 274.

SECT. 87AA revised, 1941, 626 § 7; 1943, 565 § 6; paragraph added at end, 1953, 537 § 1.

SECT. 87BB amended, 1937, 385 § 6; revised, 1943, 565 § 7.

SECT. 87CC revised, 1941, 626 § 8; 1943, 565 § 8; schedule revised, 1951, 427; sentence added, 1953, 537 § 2; schedule revised, 1954, 501; first paragraph amended, 1948, 347.

SECT. 87DD revised, 1943, 565 § 9.

SECT. 87EE revised, 1937, 385 § 7.

SECT. 87GG revised, 1941, 626 § 9; 1943, 565 § 10; third sentence stricken out and two sentences inserted, 1953, 291; sentence added at end, 1946, 550 § 3.

SECT. 87II amended, 1937, 385 § 8; revised, 1941, 626 § 10; 1943, 565 § 11.

SECT. 87JJ revised, 1941, 626 § 11; 1943, 565 § 12.

SECT. 87KK added, 1951, 509 (relative to notification of examination dates to applicants for registration).

SECT. 88, clause (3) amended, 1941, 626 § 13.

Chapter 113. — Promotion of Anatomical Science.

SECT. 1 amended, 1941, 351 § 7.

SECT. 2 revised, 1954, 627 § 25. (See 1954, 627 §§ 65, 67.)

Chapter 114. — Cemeteries and Burials.

SECT. 1 amended, 1936, 319 § 1. (See 1936, 319 § 7.)

SECT. 6 amended, 1936, 319 § 2. (See 1936, 319 § 7.)

SECT. 7 revised, 1936, 319 § 3. (See 1936, 319 § 7.)

SECT. 8 revised, 1936, 319 § 4. (See 1936, 319 § 7.)

SECT. 9 amended, 1936, 319 § 5. (See 1936, 319 § 7.)

SECT. 19 revised, 1948, 550 § 48. (See 1948, 550 § 51.)

SECT. 20, sentence added at end, 1948, 550 § 49. (See 1948, 550 § 51.)

SECT. 24 revised, 1948, 550 § 50. (See 1948, 550 § 51.)

SECT. 25 amended, 1934, 85 § 1. (See 1934, 85 § 2.)

SECTS. 43A-43N added, under caption "MISCELLANEOUS PROVISIONS", 1936, 319 § 6 (relative to the ownership, maintenance and operation of cemeteries and crematories and to the disposal of dead human bodies). (See 1936, 319 § 7.)

SECT. 43O added, 1948, 497 (prohibiting the sale of monuments for cemetery lots by certain corporations).

SECT. 45 amended, 1954, 627 § 26. (See 1954, 627 §§ 65, 67.)

SECT. 45A added, 1954, 438 (relative to the use of the name of funeral directors in connection with death certificates or burial permits).

SECT. 46 amended, 1954, 627 § 27. (See 1954, 627 §§ 65, 67.)

SECT. 46A added, 1949, 604 (relative to permits for the burial or other disposition of the bodies of deceased veterans).

SECT. 47 amended, 1954, 627 § 28. (See 1954, 627 §§ 65, 67.)

SECT. 49 revised, 1936, 407 § 4; last paragraph amended, 1939, 160 § 3. (See 1936, 407 §§ 5-8.)

Chapter 115. — Veterans' Benefits (former title, State and Military Aid, Soldiers' Relief, etc.).

For legislation providing for payments for the benefit of certain soldiers and sailors, see 1942, 11; 1943, 211; 1945, 366; 1946, 584; 1948, 549; 1954, 627 §§ 39, 65, 67.

Chapter stricken out, and new chapter 115 (with new title) inserted, 1946, 584 § 1. (See 1946, 584 §§ 2, 21, 22.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 115 as so inserted:

SECT. 1, paragraph 6 revised, 1948, 510; paragraph 7 added, 1947, 444; paragraph inserted, 1951, 526 § 2; definition of "Veteran" revised, 1951, 590 § 1; paragraph added at end, 1951, 590 § 2; section revised, 1954, 627 § 35; definition of "Veteran" amended, 1954, 688 § 2. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECT. 1A added, 1954, 627 § 36 (relative to the requirements for hospital benefits available to veterans). (See 1954, 627 §§ 65, 67.)

SECT. 2, second and third paragraphs revised, 1951, 590 § 3; seventh paragraph revised, 1948, 535 § 1; eighth paragraph amended, 1952, 597; last paragraph stricken out and two paragraphs inserted, 1951, 546. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECT. 3A added, 1948, 96 § 1 (providing for the use of photostatic copies of discharge papers of veterans in certain cases). (See 1948, 96 § 2.)

SECT. 5 revised, 1948, 535 § 2; first paragraph revised, 1950, 493 § 1; 1951, 590 § 4; second paragraph revised, 1951, 590 § 4; fourth paragraph amended, 1954, 493; last paragraph revised, 1949, 599; paragraph added at end, 1951, 753 § 1. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECTS. 6A-6C added, 1949, 660 (providing for payment of annuities to certain paraplegic veterans).

SECT. 6A revised, 1954, 627 § 37. (See 1954, 627 §§ 65, 67.)

SECT. 6B revised, 1953, 530.

SECT. 7, first sentence revised, 1948, 535 § 3; sentence added at end, 1949, 500.

SECT. 8, last sentence revised, 1948, 535 § 4; section revised, 1948, 648; sentence added at end, 1951, 590 § 5. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECTS. 10-14 added, 1946, 599 § 1 (relative to local departments of veterans' services). (See 1946, 599 §§ 2, 3; 1947, 1.)

SECT. 10, second paragraph revised, 1948, 229.

SECT. 15 added, 1948, 415 (providing for audit of accounts of districts formed to establish departments of veterans' services).

Chapter 115A. — Soldiers' Homes.

New chapter inserted, 1954, 627 § 42. (See 1954, 627 §§ 65, 67.)

Chapter 116. — Settlement.

SECT. 1, clause Fifth amended, 1943, 455 § 13; revised, 1951, 590 § 6; amended, 1954, 627 §§ 45, 56. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 65, 67.)

SECT. 2 revised, 1933, 213; amended, 1943, 379; 1946, 584 § 4. (See 1946, 584 § 22.)

SECT. 4 revised, 1946, 584 § 5; 1950, 493 § 2. (See 1946, 584 § 22.)

SECT. 5 amended, 1943, 455 § 14; revised, 1946, 584 § 6; amended, 1948, 624 § 1. (See 1946, 584 § 22; 1948, 624 § 2.)

Chapter 117. — Support by Cities and Towns.

SECT. 1 amended, 1934, 124.

SECT. 2, paragraph added at end, 1954, 516.

SECT. 2A added, 1933, 181 (authorizing local boards of public welfare to aid needy persons in the cultivation of vegetable gardens).

SECT. 3A added, 1937, 277 (protecting needy persons from the public view while applying for public relief and support).

SECT. 3B added, 1939, 127 (prohibiting local boards of public welfare from making the institution of ejectment proceedings prerequisite to the payment by them of rent owed for dwellings by certain persons on welfare relief).

SECT. 5 amended, 1937, 125; revised, 1948, 581 § 1.

SECT. 6 revised, 1936, 108.

SECT. 6A added, 1938, 211 (preventing discrimination against certain persons with respect to the payment of welfare relief).

SECT. 7 amended, 1950, 485 § 1.

SECT. 13, new sentence added at end, 1941, 608.

SECT. 14 revised, 1937, 113; amended, 1938, 275; 1939, 39 § 1. (See 1939, 39 § 2.)

SECT. 16 repealed, 1936, 328.

SECT. 17 amended, 1939, 370; 1941, 351 § 8; last sentence revised, 1945, 668 § 2. (See 1939, 454 § 21.)

SECT. 18 amended, 1934, 45; 1938, 425; revised, 1941, 351 § 9; first sentence revised, 1954, 394. (See 1939, 454 § 21.)

SECT. 18A added, 1938, 465 (relative to the payment by cities and towns of the expense of the funeral and burial of certain poor and indigent persons); paragraph added at end, 1945, 668 § 1.

SECT. 19, paragraph added at end, 1937, 86.

SECT. 21 amended, 1941, 196.

SECT. 24 revised, 1935, 164; sentence added at end, 1943, 481.

SECT. 30, first sentence revised, 1948, 581 § 2.

SECT. 33 revised, 1952, 411 § 1.

SECT. 34 repealed, 1952, 411 § 2.

SECT. 35 amended, 1932, 180 § 19; repealed, 1952, 411 § 2.

SECTS. 44-46 added, 1938, 476 (authorizing the establishment of public welfare districts in cities and towns).

SECT. 44, first sentence amended, 1952, 353 § 1; second sentence amended, 1950, 793 § 5; sentence inserted after fifth sentence, 1950, 293 § 1; sentence added at end, 1950, 793 § 6. (See 1952, 353 § 10.)

SECT. 44A added, 1953, 205 § 1 (relative to the auditing of welfare districts). (See 1953, 205 § 2.)

SECT. 45, sentence added at end, 1950, 293 § 2; section revised, 1952, 353 § 2. (See 1952, 353 § 10.)

Chapter 118. — Aid to Dependent Children (former title, Aid to Mothers with Dependent Children).

Chapter stricken out and new chapter 118 (with new title) inserted, 1936, 413 § 1. (See 1936, 413 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 118 as so inserted:

SECT. 1 amended, 1939, 487; revised, 1952, 463.

SECT. 2 amended, 1941, 593 § 1; 1943, 97; 1945, 412; sentence inserted after fourth sentence, 1945, 532 § 1; section revised, 1946, 415; 1948, 418; first sentence revised, 1951, 390; last five sentences stricken

out and four sentences inserted, 1951, 525 § 1; third sentence revised, 1953, 325.

SECT. 2A added, 1945, 567 (relative to certain persons in families receiving aid under the law providing aid to dependent children).

SECT. 4A added, 1943, 117 (permitting recipients of aid to dependent children, so-called, to leave the commonwealth without suspension of such aid); paragraph added at end, 1945, 458 § 1.

SECT. 5 revised, 1941, 593 § 2; two sentences added at end, 1949, 613 § 1; stricken out and one sentence inserted, 1953, 323.

SECT. 6 revised, 1941, 405; two sentences added at end, 1943, 491. (See 1939, 454 § 21.)

SECT. 7 revised, 1950, 657.

SECT. 8 revised, 1939, 248.

SECT. 9 amended, 1946, 584 § 7. (See 1946, 584 § 22.)

Chapter 118A. — Adequate Assistance to Certain Aged Citizens.

Chapter stricken out and new chapter 118A inserted, 1936, 436 § 1. (See 1936, 436 § 4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 118A, as so inserted:

SECT. 1 amended, 1937, 440 § 1; last sentence amended, 1938, 274; section revised, 1941, 729 § 1; 1943, 489 § 1; third sentence amended, 1950, 519 § 1; fourth sentence amended, 1948, 433; last sentence of first paragraph amended, 1945, 683 § 1; first paragraph revised, 1950, 799; amended, 1951, 801 § 1; paragraph inserted after first paragraph, 1948, 638; paragraph inserted after second paragraph, 1949, 796 § 1; second and third paragraphs revised, 1951, 801 § 2; paragraph added at end, 1943, 506; same paragraph revised, 1945, 532 § 2; 1950, 343; 1951, 525 § 2; amended, 1954, 525; paragraph inserted before said paragraph, 1945, 441. (See 1941, 729 § 15; 1945, 683 § 4; 1949, 796 §§ 2, 3; 1951, 801 §§ 6, 7.)

SECT. 1A added, 1950, 519 § 2 (authorizing old age assistance to persons being cared for under contract in certain homes for the aged); revised, 1954, 521.

SECTS. 1B and 1C added, 1951, 475 (extending the benefits of the old age assistance law to patients in public medical institutions).

SECT. 1B. See 1954, 469 § 2.

SECT. 2 revised, 1937, 440 § 2; amended, 1941, 597 § 1; revised, 1941, 729 § 2; 1943, 489 § 2; 1945, 683 § 2. (See 1941, 729 § 15; 1945, 683 § 4.)

SECT. 2A added, 1941, 729 § 3 (relative to the liability of children to contribute to the support of aged parents); revised, 1943, 489 § 3; 1945, 683 § 3; paragraphs 1, 3 and 4 revised, 1951, 801 § 3. (See 1941, 729 § 15; 1945, 683 § 4; 1951, 801 §§ 6, 7.)

SECT. 3 revised, 1937, 440 § 3; last sentence revised, 1938, 285; section revised, 1939, 481.

SECT. 4 amended, 1938, 467; 1941, 729 § 4; revised, 1943, 512; amended, 1950, 626; revised, 1951, 801 § 4. (See 1941, 729 §§ 14, 15; 1951, 801 §§ 4A, 4B, 6, 7.)

SECT. 4A added, 1941, 729 § 5 (making a recipient of old age assistance liable to repay the same in certain cases); revised, 1948, 581 § 3; sentence added at end, 1951, 801 § 5. (See 1941, 729 § 15; 1951, 801 §§ 4B, 6, 7.)

SECT. 5 revised, 1938, 408; amended, 1941, 729 § 6; revised, 1946, 460; amended, 1949, 486. (See 1941, 729 § 15.)

SECT. 5A added, 1949, 622 (increasing the amount of bank deposits allowable to applicants for old age assistance); revised, 1951, 536.

SECT. 6, see 1952, 621.

SECT. 6A added, 1937, 165 (permitting recipients of old age assistance, so called, to leave the commonwealth without suspension of such assistance); amended, 1941, 729 § 7; revised, 1943, 470; paragraph added at end, 1945, 458 § 2; 1949, 627. (See 1941, 729 § 15.)

SECT. 7 revised, 1951, 533.

SECT. 8 amended, 1941, 729 § 8; two sentences inserted after third sentence, 1943, 490; sentence added at end, 1951, 539; stricken out and four sentences inserted, 1953, 462 § 1. (See 1939, 454 § 21; 1941, 729 § 15; 1953, 462 § 2.)

SECT. 9 revised, 1945, 541 § 3; amended, 1946, 584 § 8. (See 1946, 584 § 22.)

SECT. 10 revised, 1941, 597 § 2; two sentences added at end, 1949, 613 § 2; section revised, 1952, 602 § 10; amended, 1954, 340. (See 1952, 602 §§ 15-18.)

SECT. 11 added, 1941, 729 § 10 (establishing the old age assistance fund); amended, 1945, 684. (See 1941, 729 §§ 9, 9A, 15.)

SECT. 12 added, 1953, 571 § 1 (relative to the appointment of guardians and conservators for certain applicants for public assistance).

Chapter 118B. — The Merit System in the Administration of Aid to Dependent Children and Old Age Assistance.

New chapter inserted, 1950, 793 § 7.

SECT. 2, first sentence revised, 1952, 353 § 3. (See 1952, 353 § 10.)

SECT. 3 amended, 1952, 353 § 4. (See 1952, 353 § 10.)

SECT. 5 amended, 1952, 353 § 5. (See 1952, 353 § 10.)

SECT. 6 amended, 1952, 353 § 6. (See 1952, 353 § 10.)

SECT. 9 amended, 1952, 353 § 7. (See 1952, 353 § 10.)

SECT. 10 amended, 1952, 353 § 8. (See 1952, 353 § 10.)

Chapter 118C. — Coverage of Certain Employees under the Federal Social Security Act.

New chapter inserted, 1951, 658.

Chapter 118D. — Assistance to Persons who are Disabled.

New chapter inserted, 1951, 741 § 2. (See 1951, 741 §§ 1, 4, 5.)

SECT. 5, last sentence revised, 1953, 461.

SECT. 20, first sentence revised, 1952, 353 § 9. (See 1952, 353 § 10.)

SECT. 21 added, 1953, 571 § 2 (relative to the appointment of guardians and conservators for certain applicants for public assistance).

Chapter 119. — Protection and Care of Children, and Proceedings against Them.

SECT. 1 revised, 1941, 629 § 1; 1946, 547 § 1.

SECT. 2 revised, 1941, 629 § 2; amended, 1946, 547 § 2.

SECT. 6 revised, 1941, 629 § 3; amended, 1946, 547 § 3.

SECT. 9 amended, 1941, 629 § 4.

SECT. 10 amended, 1941, 629 § 5.

SECT. 11 revised, 1946, 547 § 3A.

SECT. 12 revised, 1932, 180 § 20.

SECT. 13A added, 1945, 520 (relative to the responsibility of the board of public welfare in a town where an infant has seemingly been abandoned).

SECT. 14 revised, 1941, 629 § 6; amended, 1946, 547 § 4.

SECT. 22 amended, 1941, 351 § 10.

SECT. 28 amended, 1941, 629 § 7.

SECT. 29 amended, 1941, 629 § 8.

SECT. 39 revised, 1951, 761.

SECTS. 40A and 40B added, 1952, 596 (to protect wards of the state in the same religion of the parents or surviving parent).

SECT. 47 amended, 1946, 448 § 1. (See 1946, 448 § 2.)

SECT. 47A added, 1943, 504 (relative to the payment of expenses for the support of certain neglected children).

SECTS. 1-51 stricken out and sections 1-39 inserted, 1954, 646 § 1.

SECT. 52, definition of "Delinquent child" amended, 1948, 310 § 3.*

SECT. 55, last paragraph revised, 1949, 593 § 6; section revised, 1952, 605 § 3. (See 1952, 605 §§ 19-21.)

SECT. 56 revised, 1943, 244 § 1.

SECT. 58, paragraph inserted after third paragraph, 1941, 264 § 1; section revised, 1948, 310 § 4*; paragraph added at end, 1948, 385.

SECT. 58A amended, 1941, 194 § 6; revised, 1941, 327; 1947, 616; repealed, 1948, 310 § 5.*

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted, 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 60 amended, 1948, 310 § 6.*

SECT. 61 amended, 1948, 310 § 7.*

SECT. 63 revised, 1932, 95 § 1.

SECT. 65 amended, 1932, 95 § 2.

SECT. 66 revised, 1941, 648 § 2; 1943, 244 § 2.

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2.

SECT. 68 revised, 1943, 244 § 2; 1948, 310 § 8.*

SECT. 69 revised, 1943, 244 § 2.

SECT. 69A added, 1948, 310 § 9 (providing that courts and certain public officers and authorities shall make available to the youth service board information relative to cases committed to said board).*

SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10*; amended, 1949, 595.

SECT. 73 revised, 1945, 202; amended, 1948, 310 § 11.*

SECT. 74 amended, 1933, 196 § 1; revised, 1948, 310 § 12.*

SECT. 75 amended, 1933, 196 § 2; revised, 1948, 310 § 13.*

SECT. 76 revised, 1948, 310 § 14.*

SECT. 77 revised, 1948, 310 § 15.*

SECT. 79 amended, 1948, 310 § 16*; 1953, 319 § 15. (See 1953, 319 §§ 39, 40.)

SECT. 80 revised, 1948, 310 § 17.*

SECT. 81 amended, 1948, 310 § 18.*

SECT. 82 amended, 1948, 310 § 19.*

SECT. 83 revised, 1948, 310 § 20.*

Chapter 120. — Youth Service Board and Massachusetts Training Schools
(former title, Massachusetts Training Schools).

Chapter stricken out, and new chapter 120 (with new title) inserted, 1948, 310 § 22. (See 1948, 310 §§ 30, 31.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 120 as so inserted:

SECT. 1 revised, 1952, 605 § 4. (See 1952, 605 §§ 19-21.)

SECT. 2 revised, 1952, 605 § 5. (See 1952, 605 §§ 19-21.)

SECT. 3 revised, 1952, 605 § 6. (See 1952, 605 §§ 19-21.)

SECT. 4 revised, 1952, 605 § 7. (See 1952, 605 §§ 19-21.)

SECT. 4A added, 1952, 605 § 8 (establishing a division of youth service in the department of education). (See 1952, 605 §§ 15, 19-21.)

SECT. 6, paragraph (e) revised, 1949, 593 § 1.

SECT. 7 amended, 1952, 605 § 9. (See 1952, 605 §§ 15, 19-21.)

SECT. 8, fourth and fifth sentences revised, 1952, 605 § 10. (See 1952, 605 §§ 15, 19-21.)

SECT. 9 amended, 1952, 605 § 11. (See 1952, 605 §§ 15, 19-21.)

SECT. 10, subsection (a) amended, 1950, 545; section revised, 1952, 605 § 12. (See 1952, 605 §§ 15, 19-21.)

SECT. 10A repealed, 1949, 593 § 2.

SECT. 11 revised, 1952, 605 § 13. (See 1952, 605 §§ 15, 19-21.)

SECT. 12 amended, 1949, 593 § 3; revised, 1952, 605 § 14. (See 1952, 605 §§ 15, 19-21.)

SECT. 13 amended, 1949, 593 § 4.

SECT. 13A added, 1953, 619 § 1 (relative to payments by the commonwealth for damages to property caused by acts of certain inmates of institutions under management of the Youth Service Board). (See 1953, 619 § 2.)

SECT. 14 amended, 1954, 685 § 2.

Chapter 121. — Powers and Duties of the Department of Public Welfare,
and the Massachusetts Hospital School.

SECT. 3 revised, 1952, 602 § 11.

SECT. 4A added, 1941, 630 § 3 (relative to information concerning recipients of old age assistance and aid to dependent children); revised, 1945, 240 § 2.

SECT. 6 amended, 1941, 351 § 11; 1948, 310 § 25. (See 1948, 310 §§ 30, 31.)

SECT. 7 amended, 1941, 351 § 12; revised, 1941, 404; amended, 1948, 310 § 26; revised, 1952, 602 § 12. (See 1948, 310 §§ 30, 31.)

SECT. 8A added, 1935, 311 § 2 (relative to funds received by the director of the division of aid and relief for the benefit of persons under the care and supervision of the department); revised, 1941, 523; amended, 1950, 162 § 4; revised, 1954, 126 § 4.

SECT. 8B added, 1941, 618 (relative to the disposition of certain unclaimed moneys held by the division of child guardianship for the benefit of certain wards thereof).

SECT. 9 amended, 1941, 351 § 13.

SECT. 9A added, 1934, 167 (relative to the interstate transportation of poor and indigent persons); sentence added at end, 1945, 458 § 3.

SECT. 12 amended, 1941, 351 § 14.

SECT. 13 amended, 1941, 351 § 15.

SECT. 15 amended, 1941, 351 § 16; repealed, 1948, 310 § 27. (See 1948, 310 §§ 30, 31.)

SECT. 22A repealed, 1948, 618 § 2. (See 1948, 618 § 3.)

SECT. 23 (and caption) amended, 1933, 364 § 2; section amended, 1935, 449 § 2; revised, 1935, 475 § 3. (See 1933, 364 § 8.)

SECT. 24 amended, 1933, 364 § 3. (See 1933, 364 § 8.)

SECT. 24A added, 1935, 449 § 2A (authorizing the acceptance and use by the state board of housing of grants of federal funds).

SECT. 24B added, 1935, 485 § 1 (authorizing the state board of housing to take land by eminent domain in order to aid or co-operate with the United States with respect to federal housing projects).

SECT. 25 revised, 1933, 364 § 4. (See 1933, 364 § 8.)

SECT. 26 amended, 1933, 364 § 5; revised, 1935, 475 § 4; amended, 1936, 211 § 6; 1947, 340 § 6; two paragraphs added at end, 1954, 643 § 2. (See 1933, 364 § 8; 1936, 211 § 7.)

SECTS. 26A-26H added, 1933, 364 § 6 (relative to the powers and duties of the state board of housing, and to limited dividend corporations under its control.) (See 1933, 364 § 8.)

SECT. 26H revised, 1935, 449 § 3.

SECTS. 26A-26H repealed, 1945, 654 § 2.

SECTS. 26I-26BB, under caption "HOUSING AUTHORITIES", added, 1935, 449 § 5 (relative to the establishment, powers and duties, and discontinuance, of local housing authorities).

Sects. 26I-26BB stricken out and new sections 26I-26II inserted, 1938, 484 § 1 (to relate the Massachusetts Housing Authority Law to the United States Housing Act of 1937). (See 1938, 484 § 2; 1941, 269 § 2; 1941, 317.)

Sects. 26I-26II stricken out and new sections 26I-26NN inserted, 1946, 574 § 1. (See 1946, 574 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 26I to 26NN as so inserted:

SECT. 26I amended, 1948, 200 § 1; 1952, 617 § 1; 1953, 668 § 2.

SECT. 26J amended, 1953, 668 § 3; definition of "Housing authority" or "Authority" stricken out and definition of "Housing authority" inserted, 1952, 617 § 2; definition of "Housing board" or "board" revised, 1948, 260 § 4; definition of "Federal legislation" revised, 1953, 647 § 10; definition of "Low-rent housing" amended, 1953, 668 § 4; definition of "Elderly persons of low income" inserted, 1953, 668 § 3; definition of "Blighted open area" inserted, 1953, 647 § 12; definition of "Decadent area" revised, 1953, 647 § 11; definition of "Land assembly and redevelopment project" revised, 1953, 647 § 13; definition of "Land assembly and redevelopment plan" amended, 1953, 647 § 14; definition of "Mayor" inserted, 1951, 322; revised, 1954, 71 § 1; definition of "Redevelopment authority" and "Relocation project" inserted, 1952, 617 § 3; definition of "Veterans" revised, 1948, 200 § 2; definition of "Servicemen" and "Veterans" stricken out and definitions of "Serviceman" and "Veteran" inserted, 1949, 760 § 1; definition of "Veteran" revised, 1950, 624 § 1; 1951, 441 § 1; 1952, 616 § 1. (See 1950, 624 § 2; 1951, 441 § 2; 1952, 616 § 2.)

SECT. 26K, first paragraph amended, 1954, 72 § 1; second paragraph amended, 1953, 647 § 15; 1953, 668 § 5; paragraph added, 1954, 72 § 2.

SECT. 26L, sentence inserted after second sentence, 1954, 428 § 1; fourth sentence revised, 1949, 688. (See 1954, 428 §§ 3, 4.)

SECT. 26M, sentence added at end, 1954, 428 § 2. (See 1954, 428 §§ 3, 4.)

SECT. 26P, paragraph (b) amended, 1952, 617 § 5; 1953, 647 § 16, 668 § 6.

SECT. 26Q, last sentence revised, 1950, 105 § 2.

SECT. 26BB amended, 1953, 647 § 17.

SECT. 26CC revised, 1950, 486.

SECT. 26DD amended, 1953, 654 § 94.

SECT. 26FF, clause (c) revised, 1949, 760 § 2; clause (d) revised, 1954, 625; clause (e) amended, 1948, 51; 1950, 479 § 5; clause (f) revised, 1949, 760 § 3; paragraph added at end, 1950, 631; sentence added at end, 1951, 313; 1954, 629.

SECT. 26GG revised, 1949, 760 § 4.

SECT. 26JJ revised, 1953, 647 § 18.

SECT. 26KK, second paragraph revised, 1947, 486; amended, 1953, 409 § 8; section revised, 1953, 647 § 18.

SECT. 26MM amended, 1953, 647 § 19.

SECT. 26NN stricken out and sections 26NN-26QQ inserted, 1948, 200 § 3 (relative to state-aided projects).

SECT. 26NN, sentence inserted after first sentence, 1949, 742 § 1; last sentence of first paragraph revised, 1951, 456; amended, 1952, 550 § 4; revised, 1954, 507 § 1, 667 § 2; last sentence of fifth paragraph revised, 1952, 550 § 2; subdivision (a), first paragraph revised, 1949, 742 § 2; amended, 1954, 507 § 2; subdivision (a), second paragraph amended, 1952, 550 § 1; subdivision (a), third paragraph amended, 1949, 742 § 3; 1954, 676, 507 § 3; subdivision (b), first sentence revised, 1952, 550 § 3; subdivision (b), first paragraph, sentence added at end, 1949, 713; subdivision (b), second paragraph amended, 1949, 742 § 4; 1950, 753; subdivision (d) added, 1949, 682 § 1; subdivision (e) added, 1950, 386; revised, 1952, 550 § 5; subdivision (f) added, 1953, 508; subdivision (g) added, 1954, 116. (See 1949, 682 § 2; 1952, 550 §§ 6, 7; 1954, 507 § 4.)

SECT. 26QQ and caption preceding it stricken out and new section inserted, 1952, 617 § 4 (relative to creating redevelopment authorities).

SECT. 26RR added, 1952, 617 § 6 (relative to contracts for state financial assistance for housing); third paragraph amended, 1953, 647 § 20.

SECT. 26SS added, 1952, 617 § 7 (providing a severability clause in case of a finding of invalidity or unconstitutionality of any part of this act); stricken out and sections 26SS-26WW inserted, 1953, 668 § 1 (to provide for the housing of elderly persons).

SECTS. 26SS-26VV revised, 1954, 667 § 1.

SECT. 27 repealed, 1933, 364 § 7.

SECTS. 28-37 repealed, 1954, 508 § 2. (See 1954, 508 §§ 3-5.)

SECT. 31 amended, 1948, 559.

SECT. 39 amended, 1941, 351 § 17.

SECT. 40 amended, 1941, 656 § 13. (See 1941, 656 § 17.)

SECT. 42 amended, 1932, 180 § 22; 1941, 406; two sentences added at end, 1952, 303.

Chapter 121A. — Urban Redevelopment Corporations.

New chapter inserted, 1945, 654 § 1.

SECT. 1, definition of "Decadent area" amended, 1947, 15; revised, 1953, 647 § 1; amended, 1954, 73 § 1; paragraph added at end, 1954, 73 § 2.

SECTS. 2 and 3 revised, 1953, 647 § 1.

SECT. 6, first two paragraphs stricken out and four paragraphs inserted, 1953, 647 § 2.

SECT. 7, first two paragraphs revised, 1947, 487 § 1.

SECT. 7A added, 1946, 574 § 3 (relative to acquisition from housing authorities of sites for urban redevelopment).

SECT. 10, two paragraphs added at end, 1953, 647 § 3.

SECT. 12, paragraph added at end, 1947, 487 § 2.

SECT. 15, first paragraph revised, 1953, 647 § 4.

SECT. 16 stricken out and sections 16 and 16A inserted, 1953, 647 § 5.

SECT. 17 repealed, 1953, 647 § 6.

SECT. 18, paragraph (a) revised, 1953, 647 § 7; paragraph (e) revised, 1953, 647 § 8.

SECT. 18A added, 1946, 129 (authorizing savings banks to invest in urban redevelopment projects).

SECT. 18B added, 1953, 647 § 9 (relative to the forming of urban redevelopment corporations).

Chapter 122. — Tewksbury State Hospital and Infirmary (former title, State Infirmary).

SECT. 1 amended, 1941, 351 § 19; revised, 1941, 596 § 25.

SECT. 2 amended, 1941, 351 § 20.

SECT. 2A amended, 1941, 351 § 21.

SECTS. 2B-2E added, 1936, 295 (relative to Patients' Funds at the state infirmary and the disposition of unclaimed property and moneys represented by bank books belonging to former patients).

SECT. 2B amended, 1941, 351 § 22; revised, 1946, 331; 1950, 162 § 5; 1954, 126 § 5.

SECT. 2C amended, 1941, 351 § 23.

SECT. 2D revised, 1941, 351 § 24.

SECT. 2E revised, 1941, 351 § 25.

SECT. 3 amended, 1941, 351 § 26.

SECT. 4 amended, 1941, 351 § 27.

SECT. 5 amended, 1941, 351 § 28.

SECT. 6 amended, 1933, 345; 1941, 351 § 29.

SECT. 8 amended, 1941, 351 § 30.

SECT. 10 amended, 1941, 351 § 31.

SECT. 13 amended, 1941, 351 § 32.

SECT. 14 amended, 1941, 351 § 33.

SECT. 15 amended, 1936, 325; 1941, 351 § 34.

SECT. 16 amended, 1941, 351 § 35.

SECT. 17 amended, 1941, 351 § 36.

SECT. 18 amended, 1936, 378; 1941, 351 § 37; revised, 1941, 412; first sentence amended, 1943, 275 § 2; fourth sentence stricken out and two sentences inserted, 1943, 476; section revised, 1945, 583; first sen-

tence revised, 1951, 480; fifth sentence amended, 1947, 618; revised, 1948, 546; 1949, 766; 1951, 489; eighth sentence revised, 1952, 342; section revised, 1953, 636 § 3. (See 1939, 454 § 21; 1953, 636 § 9.)

SECT. 20 amended, 1941, 351 § 38; revised, 1950, 441 § 1.

SECT. 20A added, 1941, 201 (penalizing the unlawful possession, handling or consumption of certain things by inmates of said hospital and infirmary).

SECT. 21 amended, 1953, 319 § 16. (See 1953, 319 §§ 39, 40.)

SECT. 23 amended, 1941, 351 § 39.

SECT. 24 revised, 1941, 191.

Chapter 123. — Commitment and Care of the Insane and Other Mental Defectives.

For legislation relative to the establishment of the Norfolk state hospital for the care of the criminal insane, see 1935, 421; 1939, 485; 1941, 194 §§ 20, 21, 722 §§ 12, 13.

SECT. 1, definition of "commissioner" and "department" revised, 1938, 486 § 7.

SECT. 4 revised, 1938, 486 § 8.

SECT. 7, two sentences added at end, 1954, 598 § 1.

SECT. 8, second sentence stricken out, 1953, 612 § 9.

SECT. 8A added, 1935, 301 (providing for co-operation between the departments of mental diseases and public works relative to roads at state hospitals).

SECT. 10 amended, 1941, 490 § 25.

SECT. 13 revised, 1936, 286.

SECT. 15 amended, 1941, 656 § 14. (See 1941, 656 § 17.)

SECT. 16 revised, 1938, 486 § 9; amended, 1939, 500 § 1; 1947, 429 § 1; 1951, 497; 1954, 189; second sentence revised, 1954, 598 § 2. (See 1946, 324; 1947, 429 § 2.)

SECT. 16A amended, 1938, 486 § 10.

SECT. 19 repealed, 1935, 163.

SECT. 20A added, 1945, 311 (relative to commitment to the Veterans Administration or other agencies of the United States of certain war veterans for care and treatment).

SECT. 22 revised, 1941, 351 § 40, 706; repealed, 1950, 441 § 2.

SECT. 22A amended, 1941, 194 § 7.

SECT. 25 amended, 1935, 314 § 3, 421 § 4; 1950, 684 § 3; 1954, 469 § 4. (See 1935, 421 § 6; 1950, 684 §§ 11, 12; 1954, 469 § 5.)

SECT. 26 repealed, 1938, 486 § 11.

SECT. 28 revised, 1938, 486 § 12; 1945, 638; 1954, 598 § 3.

SECT. 29 revised, 1938, 486 § 13; clause (f) added, 1954, 598 § 5.

SECT. 30 revised, 1938, 486 § 14.

SECT. 31 revised, 1938, 486 § 15.

SECT. 32 revised, 1933, 115; 1938, 486 § 16.

SECT. 35 revised, 1946, 33 § 1.

SECT. 36 revised, 1939, 500 § 12.

SECT. 37 revised, 1946, 33 § 2.

SECT. 39, sentence added at end, 1936, 291 § 1; section revised, 1950, 162 § 6; 1954, 126 § 6.

SECT. 39A amended, 1936, 291 § 2; first sentence amended, 1954, 455.

SECT. 39B added, 1932, 204 (relative to the disposition of unclaimed

belongings at certain state hospitals, known as "patients' valuables"); revised, 1936, 291 § 3.

SECT. 39C added, 1933, 256 (relative to the disposition of moneys represented by certain bank books belonging to former patients of certain state hospitals); revised, 1936, 291 § 4.

SECT. 40 amended, 1939, 500 § 13.

SECT. 43 repealed, 1939, 500 § 2.

SECT. 45 amended, 1938, 486 § 17; 1950, 684 § 4. (See 1938, 486 §§ 21, 22; 1950, 684 §§ 11, 12.)

SECT. 46 amended, 1938, 486 § 18; 1950, 684 § 5. (See 1938, 486 §§ 21, 22; 1950, 684 §§ 11, 12.)

SECT. 47 revised, 1938, 486 § 19; 1945, 467. (See 1938, 486 §§ 21, 22.)

SECT. 48 repealed, 1952, 307.

SECT. 49 amended, 1945, 451; repealed, 1952, 307.

SECT. 50 revised, 1935, 314 § 4.

SECT. 51 amended, 1950, 684 § 6. (See 1950, 684 §§ 11, 12.)

SECT. 52 amended, 1932, 85.

SECT. 53 revised, 1941, 645 § 1.

SECT. 56 repealed, 1939, 500 § 4.

SECT. 62 amended, 1941, 655 § 1.

SECT. 66, paragraph added at end, 1939, 500 § 6; first sentence amended, 1945, 24; 1950, 684 § 7; sentence inserted after first sentence, 1954, 218. (See 1950, 684 §§ 11, 12.)

SECT. 66A amended, 1941, 194 § 8; revised, 1954, 685 § 3.

SECT. 67A added, 1950, 684 § 8 (relative to the disposition of certain inmates at Myles Standish state school).

SECT. 69, sentence added at end, 1945, 227.

SECT. 73 revised, 1947, 194.

SECT. 77, first sentence amended, 1935, 314 § 5; section revised, 1939, 500 § 5.

SECT. 78, first sentence revised, 1935, 314 § 6.

SECT. 79, first sentence revised, 1935, 314 § 7; section revised, 1939, 500 § 7; amended, 1941, 216 § 1; revised, 1941, 645 § 2.

SECT. 80 amended, 1939, 500 § 8.

SECT. 82 amended, 1939, 500 § 9.

SECT. 84 revised, 1941, 481; amended, 1941, 490 § 26; revised, 1941, 722 § 10.

SECT. 86 amended, 1935, 314 § 8; revised, 1939, 500 § 10.

SECT. 86A added, 1947, 517 (providing for the reception in certain state institutions under the department of mental health of certain mentally ill children).

SECT. 87 amended, 1939, 500 § 11; revised, 1945, 454.

SECT. 88A revised, 1945, 25.

SECT. 89 revised, 1941, 216 § 3; last sentence revised, 1950, 571; 1954, 685 § 4.

SECT. 89A amended, 1941, 194 § 9.

SECT. 89B amended, 1938, 254 § 1; 1941, 194 § 10; 1950, 733.

SECT. 90, first sentence amended, 1932, 180 § 23.

SECT. 91 amended, 1950, 684 § 9. (See 1950, 684 §§ 11, 12.)

SECT. 93 amended, 1950, 684 § 10. (See 1950, 684 §§ 11, 12.)

SECT. 94A added, 1947, 681 (providing for the adjudication of restoration of soundness of mind); third sentence stricken out and three sentences inserted, 1952, 535.

SECT. 96 amended, 1941, 351 § 41; first paragraph revised, 1954, 598 § 4; second paragraph amended, 1950, 485 § 2; third paragraph revised, 1941, 398.

SECT. 100A amended, 1941, 194 § 11; 1953, 319 § 17. (See 1953, 319 §§ 39, 40.)

SECT. 102 revised, 1934, 15; paragraph added at end, 1938, 226; amended, 1947, 459; section amended, 1941, 344 § 3; second paragraph amended, 1952, 396.

SECT. 105 revised, 1936, 130; first paragraph amended, 1945, 50; last paragraph amended, 1939, 54; 1941, 216 § 2.

SECT. 110 amended, 1937, 136.

SECT. 113 amended, 1941, 194 § 12; revised, 1943, 185 § 1; amended, 1947, 684 § 1; first sentence amended, 1948, 310 § 28; section revised, 1952, 608 § 1; second paragraph amended, 1954, 404 § 2; last paragraph amended, 1954, 404 § 3; section revised, 1954, 685 § 1. (See 1948, 310 §§ 30-31; 1953, 645; 1954, 404 § 1.)

SECT. 114 revised, 1943, 185 § 2; 1948, 310 § 29; repealed, 1952, 608 § 2. (See 1948, 310 §§ 30-31.)

SECT. 115 revised, 1943, 185 § 3; 1946, 557 § 1; 1947, 684 § 2.

SECT. 116 revised, 1943, 185 § 4; repealed, 1952, 608 § 2.

SECT. 117 amended, 1941, 655 § 2.

SECT. 117A added, 1936, 32 (providing in certain cases for the return to penal institutions of prisoners removed therefrom to departments for defective delinquents); revised, 1943, 185 § 5.

SECT. 118 revised, 1938, 254 § 2; 1943, 185 § 6; amended, 1945, 150; revised, 1946, 557 § 2; 1947, 684 § 3.

SECT. 118A added, 1947, 684 § 3 (relative to the parole of defective delinquents).

SECT. 119 revised, 1938, 254 § 3.

Chapter 123A. — Care, Treatment and Rehabilitation of Sexual Offenders and Victims of Such Offenders (former title, Care, Treatment and Rehabilitation of Sexual Psychopaths).

New chapter inserted, 1947, 683.

Chapter stricken out and new chapter 123A (with new title) inserted, 1954, 686 § 1. (See 1954, 686 § 2.)

Chapter 124. — Powers and Duties of the Department of Correction.

SECT. 1 amended, 1939, 451 § 38; 1941, 344 § 4.

SECT. 5 amended, 1941, 344 § 5.

SECT. 6 amended, 1936, 23 § 2; 1939, 451 § 39.

SECT. 7 amended, 1939, 451 § 40; repealed, 1954, 567 § 3. (See 1954, 567 § 10.)

SECT. 8 amended, 1935, 48 § 1; 1953, 319 § 18. (See 1935, 48 § 2; 1953, 319 §§ 39, 40.)

Chapter 125. — Penal and Reformatory Institutions of the Commonwealth.

SECT. 2 amended, 1941, 344 § 6.

SECT. 3 amended, 1941, 344 § 7.

SECT. 4 amended, 1932, 282 § 3; 1941, 344 § 8.

SECT. 4A added, 1939, 360 § 1 (changing the minimum age require-

ment for appointment of correction officers at certain state penal and reformatory institutions). (See 1939, 238 § 50.)

SECT. 6A added, 1945, 537 § 1 (establishing the office of treasurer at certain state penal and reformatory institutions). (See 1945, 537 § 5.)

SECT. 8 revised, 1948, 422.

SECT. 10 revised, 1937, 20 § 1. (See 1937, 20 § 2.)

SECT. 11 amended, 1935, 437 § 1; revised, 1953, 591 § 1. (See 1935, 437 § 8; 1953, 591 §§ 2-6.)

SECT. 13 amended, 1936, 276; 1939, 360 § 2.

SECT. 14, third sentence stricken out, 1945, 537 § 2.

SECT. 22 revised, 1946, 591 § 44.

SECT. 26 amended, 1945, 537 § 3.

SECT. 29 revised, 1946, 591 § 45.

SECT. 30 amended, 1932, 180 § 24.

SECT. 34 revised, 1945, 537 § 4.

SECTS. 39-41 (and heading before said section 39) repealed, 1941, 344 § 9.

SECT. 46 repealed, 1941, 596 § 26.

SECT. 48A added, 1950, 769 (authorizing the establishment of a clinic for alcoholics at the state farm).

SECT. 49 revised, 1936, 125.

Chapter 126. — Jails, Houses of Correction and Reformation, and County Industrial Farms.

SECT. 9A added, 1948, 469 (relative to the wearing of uniforms by certain officers and employees of county penal institutions).

SECT. 16 revised, 1937, 219 § 6.

SECT. 18A added, 1953, 355 (relative to indemnification by counties of certain officers sustaining expenses or damages by reason of wilful acts of inmates).

SECT. 37 amended, 1936, 228.

Chapter 127. — Officers and Inmates of Penal and Reformatory Institutions, Paroles and Pardons.

SECT. 1 revised, 1941, 490 § 27.

SECT. 2 amended, 1941, 344 § 10.

SECT. 10 amended, 1936, 23 § 3; 1941, 656 § 15. (See 1941, 656 § 17.)

SECT. 11 revised, 1941, 344 § 11.

SECT. 12 amended, 1941, 344 § 12.

SECT. 14 amended, 1939, 200.

SECT. 16, last sentence stricken out, 1933, 77 § 1; section amended, 1941, 344 § 13; revised, 1948, 129 § 8.

SECT. 17 revised, 1933, 77 § 2.

SECT. 18 amended, 1933, 77 § 3.

SECT. 23 amended, 1941, 69.

SECT. 35 amended, 1941, 344 § 14.

SECT. 36 revised, 1941, 237 § 1.

SECT. 37 revised, 1941, 237 § 2.

SECT. 38A added, 1953, 295 (penalizing prisoners in certain correctional institutions who hold persons as hostages).

SECT. 48A revised, 1946, 461 § 1.

SECT. 50 revised, 1941, 344 § 15.

SECT. 51 amended, 1941, 344 § 16.

SECT. 67A added, 1932, 252 § 1 (regulating the sale of prison made goods). (See 1932, 252 § 2.)

SECT. 71 revised, 1941, 344 § 17; 1946, 461 § 2.

SECT. 72 amended, 1941, 344 § 18; revised, 1941, 436 § 1. (See 1941, 436 § 2.)

SECT. 78 and sections 79-82 (and heading preceding said section 79) repealed, 1941, 344 § 19.

SECTS. 83A-83D added, 1951, 755 (relative to the establishment of prison camps in state forests).

SECT. 84 amended, 1941, 490 § 28.

SECT. 85 revised, 1950, 727 § 1.

SECT. 86 revised, 1950, 727 § 2.

SECT. 87 amended, 1941, 344 § 20.

SECT. 90A revised, 1938, 65; 1951, 394; amended, 1952, 299.

SECT. 96 amended, 1941, 351 § 42.

SECTS. 96A and 96B added, 1936, 383 (providing for the disposition of unclaimed money and property of former prisoners).

SECT. 96A amended, 1945, 290.

SECT. 97 revised, 1943, 113.

SECT. 109 repealed, 1941, 344 § 21.

SECT. 109B added, 1935, 113 § 1 (relative to the transfer of certain prisoners from the Massachusetts Reformatory to the State Prison). (See 1935, 113 § 2.)

SECT. 111A added, 1933, 169 (relative to transfers of defective delinquents and drug addicts from one institution to another under the department of correction).

SECT. 117 revised, 1941, 510 § 1; 1943, 120.

SECT. 118 revised, 1938, 456; amended, 1941, 351 § 43; revised, 1941, 510 § 2.

SECT. 123 amended, 1941, 510 § 3.

SECT. 125 amended, 1946, 148.

SECT. 127 amended, 1938, 71; 1941, 70; 1941, 690 § 5A; sentence added at end, 1945, 449 § 2; amended, 1953, 215 § 1. (See 1941, 690 §§ 8-10; 1953, 215 § 2.)

SECT. 128 amended, 1939, 451 § 41; revised, 1941, 690 § 1. (See 1941, 690 §§ 8-10.)

SECTS. 129-139 stricken out and new sections 129-136A inserted, 1941, 690 § 2. (See 1941, 690 §§ 8-10.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 129-136A as so inserted:

SECT. 129, third sentence amended, 1945, 49 § 1; section revised, 1946, 543 § 1; sentence added at end, 1947, 131 § 1; section revised, 1948, 450 § 1; third, fourth and fifth paragraphs revised, 1954, 567 § 4. (See 1945, 49 § 2; 1946, 543 § 6; 1947, 131 § 2; 1948, 450 § 3; 1954, 567 § 10.)

SECT. 130 revised, 1946, 543 § 2; 1948, 450 § 2. (See 1946, 543 § 6; 1948, 450 § 3.)

SECT. 132 revised, 1946, 543 § 3; last sentence revised, 1954, 567 § 5. (See 1946, 543 § 6; 1954, 567 § 10.)

SECT. 133 amended, 1946, 254.

SECT. 134 revised, 1946, 543 § 4. (See 1946, 543 § 6.)

SECT. 135. last sentence revised, 1954, 567 § 6. (See 1954, 567 § 10.)

SECT. 136 revised, 1946, 543 § 5. (See 1946, 543 § 6.)

SECT. 136A amended, 1951, 33.

SECT. 141 amended, 1941, 174 § 1; revised, 1947, 578.

SECT. 144 amended, 1950, 460.

SECT. 145 amended, 1953, 319 § 19. (See 1953, 319 §§ 39, 40.)

SECT. 146 revised, 1932, 221 § 1.

SECT. 149 amended, 1939, 451 § 51; revised, 1941, 174 § 2; amended, 1941, 690 § 3; revised, 1946, 424 § 1. (See 1941, 690 §§ 8-10; 1946, 424 § 2.)

SECT. 151, last sentence amended, 1932, 180 § 25.

SECTS. 151A-151G added, under the heading "INTERSTATE SUPERVISION OF PROBATIONERS AND PAROLEES", 1937, 307 § 1 (providing for the entry of this commonwealth into compacts with any of the United States for mutual helpfulness in relation to persons convicted of crimes or offences who are on probation or parole). (See 1937, 307 § 2.)

SECT. 152 revised, 1939, 479; sentence inserted after second sentence, 1948, 310 § 21; second paragraph revised, 1951, 42; 1952, 256; paragraph inserted after third paragraph, 1951, 773; sentence added at end of fourth paragraph, 1941, 297; same sentence stricken out, 1945, 38 § 8; section revised, 1954, 567 § 7. See 1945, 180. (See 1948, 310 §§ 30, 31; 1954, 567 § 10.)

SECT. 153, See 1945, 180.

SECT. 154 amended, 1939, 451 § 52; revised, 1941, 690 § 4; 1954, 567 § 8. See 1945, 180. (See 1941, 690 §§ 8-10; 1954, 567 § 10.)

SECT. 154A added, 1935, 225 (requiring consideration by the advisory board of pardons of the cases of certain life prisoners on the question of extending clemency); amended, 1939, 451 § 53.

SECT. 155 revised, 1954, 567 § 9. (See 1954, 567 § 10.)

SECT. 158 revised, 1941, 344 § 24.

SECT. 160 revised, 1941, 344 § 25; 1943, 433; last sentence stricken out, 1945, 512.

SECT. 162 revised, 1951, 467.

SECTS. 166-169 added, 1939, 484 (regulating the payment or receipt of money or other rewards or gratuities for the purpose of obtaining the granting of any pardon, parole, or commutation of or respite from sentence).

SECTS. 166 and 167 revised, 1941, 690 § 5. (See 1941, 690 §§ 8-10.)

Chapter 128. — Agriculture.

SECT. 1 amended, 1941, 490 § 29.

SECT. 1A added, 1952, 386 (defining "agriculture" and "farming").

SECT. 2, paragraph (a) revised, 1941, 490 § 30; paragraph (f) amended, 1937, 415 § 1; 1938, 230; paragraph (g) added, 1933, 291 § 1; same paragraph repealed, 1941, 598 § 3.

SECT. 6 amended, 1933, 291 § 2; 1941, 598 § 4.

SECT. 8A added, 1943, 495 (relative to the control or destruction of certain rodents by the commissioner of agriculture); amended, 1946, 366.

SECT. 10 amended, 1934, 340 § 10. (See 1934, 340 § 18.)

SECT. 13 amended, 1934, 340 § 11. (See 1934, 340 § 18.)

SECTS. 16-31A affected, 1939, 405.

SECT. 16 amended, 1941, 490 § 32.

SECT. 20A added, 1953, 91 (relative to the control of water chestnut).

SECT. 21 revised, 1948, 303 § 1.

SECT. 22 amended, 1941, 490 § 33; repealed, 1952, 480 § 2. (See 1952, 480 § 3.)

SECT. 23 amended, 1941, 490 § 34.

SECT. 24A added, 1939, 136 (providing for the control of the Dutch elm disease); repealed, 1949, 761 § 13.

SECT. 27 revised, 1938, 309; 1948, 303 § 2.

SECT. 31A revised, 1943, 144.

SECTS. 32-38 revised, 1951, 506.

SECT. 39 repealed, 1933, 74 § 2.

SECT. 42 revised, 1932, 166; paragraph added at end, 1947, 180.

Chapter 128A. — Horse and Dog Racing Meetings.

New chapter inserted, 1934, 374 § 3.

SECT. 2, subsection (5) amended, 1946, 575 § 1; subsection (7) amended, 1950, 716.

SECT. 3, first paragraph revised, 1935, 454 § 2; 1943, 269; clause (b) revised, 1946, 575 § 2; clause (c) amended, 1941, 382; clause (d) revised, 1946, 575 § 3; 1953, 663; clause (e) revised, 1939, 505 § 1; clause (f) amended, 1935, 454 § 3; clause (h) amended, 1935, 454 § 4; clause (i) revised, 1939, 505 § 2; clause (j) revised, 1946, 575 § 4; clause (n) added, 1935, 239 (forbidding the licensed racing of horses and dogs under the pari-mutuel system of betting, on publicly owned premises); clause (n) added, 1935, 471 § 1 (forbidding the licensed racing of dogs under such system, in certain residential neighborhoods); designation of the clause added by 1935, 471 § 1 changed from (n) to (o), 1936, 405 § 3. (See 1935, 471 § 2; 1939, 505 § 3.)

SECT. 4, second paragraph amended, 1947, 567; revised, 1949, 521; last paragraph revised, 1939, 356.

SECT. 5, first paragraph revised, 1935, 454 § 1; paragraph inserted after first paragraph, 1946, 252; second paragraph, as appearing in 1934, 374 § 3, revised, 1936, 351; 1946, 575 § 5; second sentence of same paragraph amended, 1953, 311 § 1; third paragraph, as so appearing, revised, 1936, 351; 1939, 473; first sentence of same paragraph revised, 1946, 381 § 1; 575 § 7; 1949, 294 § 1; amended, 1953, 311 § 2; second sentence of same paragraph revised, 1946, 381 § 2; 1949, 294 § 3; third sentence of same paragraph amended, 1953, 311 § 3; paragraph inserted after fourth paragraph, 1947, 390 § 1; last paragraph, as appearing in 1934, 374 § 3, amended, 1939, 497; paragraph added at end, 1946, 575 § 6; revised, 1949, 294 § 2. Temporarily affected, 1948, 220; 1949, 294 § 4; 1951, 178; 1953, 246 § 14; 499.

SECT. 5A added, 1946, 445 § 1 (relative to the disposition of money held for payment of unclaimed winnings upon wagers made at horse and dog racing meetings). (See 1946, 445 § 2.)

SECT. 9, last paragraph revised, 1935, 454 § 5.

SECT. 9A added, 1935, 454 § 6 (relative to rules, regulations and conditions to be prescribed by the state racing commission).

SECT. 10 revised, 1936, 268.

SECT. 13 amended, 1935, 454 § 7.

SECT. 13A added, 1935, 454 § 8 (relative to the application of certain laws as to betting and certain local requirements as to race tracks and public amusements, in the case of racing meetings under this chapter); revised, 1939, 159; amended, 1941, 295; first paragraph amended, 1951, 777 § 2; paragraph added at end, 1948, 437. (See 1935, 471 § 2.)

SECT. 13B added, 1937, 322 (prohibiting and penalizing the use of drugs for the purpose of affecting the speed of horses at horse racing meetings).

SECT. 13C added, 1950, 111 (penalizing attempts to influence persons connected with horse or dog racing to affect the result of a race).

SECT. 14 revised, 1935, 279 § 2; 1936, 253 § 2; amended, 1938, 282; revised, 1947, 138 § 2. (See 1935, 279 § 3; 1936, 253 § 1.)

SECT. 14A added, 1935, 279 § 1 (providing for the resubmission to the voters of the several counties of the question of licensing dog races at which the pari-mutuel system of betting shall be permitted); repealed, 1936, 253 § 1. (See 1935, 279 § 3; 1936, 253 § 1.)

SECT. 14B added, 1953, 389 (providing for the submission to the voters of Berkshire County of the question of licensing horse races at county fairs at which the pari-mutuel system of betting shall be permitted).

SECT. 15 revised, 1936, 436 § 2; 1941, 729 § 12; amended, 1947, 390 § 2; revised, 1948, 319. (See 1936, 436 § 4; 1941, 729 § 15.)

Chapter 128B. — Conservation of Soil and Soil Resources and Prevention and Control of Erosion.

New chapter inserted, 1945, 531.

SECT. 2, paragraph (2) revised, 1947, 73 § 1.

SECT. 3, subdivision 5 revised, 1949, 517.

SECT. 5 revised, 1947, 73 § 2; 1954, 244.

Chapter 129. — Livestock Disease Control (former title, Animal Industry).

SECT. 1 revised, 1934, 340 § 12; paragraph (defining "Domestic animals") added, 1935, 70. (See 1934, 340 § 18.)

SECT. 8A added, 1941, 375 (establishing a scale of fees for the inoculation of swine against hog cholera).

SECT. 9 amended, 1943, 332 § 10.

SECT. 10 amended, 1934, 340 § 13. (See 1934, 340 § 18.)

SECT. 14A added, 1953, 19 § 1 (providing for co-operation with the federal government in the eradication of certain animal diseases). (See 1953, 19 § 2); section stricken out and sections 14A and 14B inserted, 1953, 655 § 2 (providing for the eradication of certain animal diseases). (See 1953, 655 § 1.)

SECT. 15 revised, 1941, 162.

SECT. 26A revised, 1938, 168; amended, 1941, 173.

SECT. 29 amended, 1938, 308.

SECT. 32 amended, 1939, 451 § 54.

SECT. 33 amended, 1934, 272; 1946, 417; revised, 1952, 519.

SECT. 33B revised, 1934, 96; 1954, 647 § 1. (See 1954, 647 § 4.)

SECT. 36A added, 1935, 426 (providing for the licensing of certain dealers in bovine animals); repealed, 1941, 607 § 2.

SECT. 36B added, 1938, 314 (providing for the vaccination of certain cattle to curtail the spread of Bang's disease, so called); revised, 1943, 56; 1952, 518; 1954, 647 § 2.

SECT. 36C added, 1938, 386 (regulating the transportation of neat cattle); repealed, 1941, 607 § 2.

SECTS. 36D and 36E added, 1954, 647 § 3 (prohibiting the importation or transportation of certain cattle unless tested and vaccinated for brucellosis). (See 1954, 647 § 4.)

SECT. 38 revised, 1934, 340 § 14. (See 1934, 340 § 18.)

SECTS. 39-43 added, 1941, 607 § 1 (to further regulate the dealing in and transportation of bovine animals and to prevent the spread of disease among such animals).

SECT. 40 revised, 1946, 416 § 1.

SECT. 43 revised, 1946, 416 § 2.

Chapter 129A. — Marine Fish and Fisheries, Inland Fish and Fisheries, Birds and Mammals, General Provisions.

New chapter inserted, 1933, 329 § 1.

SECT. 1, definition of "Warden" revised, 1937, 413 § 2; definitions of "Coastal Warden", "Deputy Coastal Warden" and "Supervisor", revised, 1939, 491 § 11. (See 1937, 413 §§ 3, 4; 1939, 491 § 12.)

SECT. 10, sentence added at end, 1941, 171.

Chapter 129A repealed in part, 1941, 598 § 7; entirely repealed, 1941, 599 § 1. (See 1941, 598 § 9, 599 § 7.)

Chapter 130. — Marine Fish and Fisheries (former title, Marine Fish and Fisheries, including Crustacea and Shellfish).

Chapter stricken out, and new chapter 130 (with new title) inserted, 1933, 329 § 2.

Chapter stricken out, and new chapter 130 (with new title) inserted, 1941, 598 § 1. (See 1941, 598 § 9.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 130 as so inserted:

SECT. 1, definition of "Fish" amended, 1945, 98 § 1; last paragraph revised, 1945, 98 § 2.

SECT. 2, second paragraph revised, 1949, 566 § 1; amended, 1950, 628 § 1; revised, 1951, 360; last paragraph revised, 1945, 98 § 3.

SECT. 13, third paragraph revised, 1949, 566 § 2.

SECT. 15A added, 1945, 281 (providing for reciprocal enforcement of laws relating to marine fisheries).

SECT. 20, two paragraphs added at end, 1948, 430 § 1. (See 1948, 430 §§ 2, 3.)

SECT. 22 revised, 1952, 501 § 1.

SECT. 31 amended, 1945, 98 § 4.

SECT. 33 amended, 1945, 98 § 5.

SECT. 37, paragraph contained in lines 10 and 11 amended, 1943, 149; same paragraph revised, 1943, 533 § 1; 1948, 76 § 1. (See 1943, 533 § 2.)

SECT. 40 revised, 1951, 194; amended, 1954, 248.

SECT. 42, last sentence amended, 1945, 242 § 15.

SECT. 43, second and third sentences revised, 1949, 566 § 3; last sentence amended, 1945, 242 § 16.

SECT. 44 revised, 1950, 423 § 1, 628 § 2; 1951, 408 § 1; 1953, 156. (See 1951, 408 § 2.)

SECT. 55 amended, 1951, 281; 1952, 182.

SECT. 69 amended, 1945, 98 § 6.

SECT. 74, first paragraph amended, 1948, 463; sentence added at end, 1945, 99 § 1; section revised, 1954, 243 § 1. (See 1954, 243 § 2.)

SECT. 76, paragraph inserted after third paragraph, 1948, 365.

SECT. 80, third paragraph amended, 1945, 98 § 7.

SECT. 81, sentence added at end, 1945, 99 § 2.

SECT. 82, sentence added at end, 1945, 99 § 3.

SECT. 87 amended, 1954, 186.

SECT. 96 revised, 1954, 167.

SECT. 100 amended, 1945, 264 § 1.

SECTS. 100A and 100B added, 1945, 264 § 2 (making permanent the law protecting striped bass). For prior temporary legislation see 1941, 421.

SECT. 100B revised, 1947, 515.

Chapter 131. — Powers and Duties of the Division of Fisheries and Game
(former title, Game and Inland Fisheries).

Chapter stricken out, and new chapter 131 (with new title) inserted, 1941, 599 § 2. (See 1941, 599 §§ 5-7.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 131 as so inserted:

SECT. 1, definition of "Birds" revised, 1941, 663 § 1; definition of "Coastal waters" inserted, 1954, 92; definition of "Green pelt" inserted, 1948, 615 § 1; definition of "Loaded shotgun or rifle" inserted, 1945, 83; definition of "Mammals" revised, 1941, 663 § 2; definition of "Trap" inserted, 1948, 615 § 2; revised, 1950, 136. (See 1941, 663 § 3.)

SECT. 3A added, 1945, 548 § 1 (establishing the inland fisheries and game fund). (See 1945, 548 § 3.)

SECT. 5 amended, 1947, 245 § 1; paragraph added at end, 1947, 245 § 2.

SECT. 6 revised, 1948, 302 § 1; first sentence amended, 1949, 545; next to last sentence revised, 1953, 218 § 1. (See 1953, 218 § 2.)

SECT. 7 revised, 1954, 457 § 1. (See 1954, 457 § 2.)

SECT. 8, last paragraph of clause (1) revised, 1943, 265; amended, 1950, 233; section revised, 1951, 405 § 1; eighth paragraph of clause (1) revised, 1952, 454 § 1; sixth paragraph of clause (2) revised, 1952, 305 § 1. (See 1951, 405 § 2; 1952, 454 § 2, 305 § 2.)

SECT. 8A added, 1949, 516 (authorizing the granting of fishing licenses to certain aliens).

SECT. 14, paragraph inserted after fifth paragraph, 1948, 400; same paragraph revised, 1951, 399; paragraph contained in lines 65-73 amended, 1943, 216 § 1; paragraph contained in lines 74-86 amended, 1943, 216 § 2.

SECT. 16 revised, 1947, 193; first sentence revised, 1954, 88; two sentences added at end, 1948, 302 § 2; next to last sentence revised, 1950, 259.

SECT. 25 revised, 1951, 535.

SECT. 26, sentence added at end, 1948, 443.

SECT. 28 revised, 1952, 501 § 2.

SECT. 34 revised, 1945, 693 § 2.

SECT. 40A added, 1946, 79 (penalizing the use of artificial bait in ice fishing elsewhere than in the Connecticut river); repealed, 1953, 224.

SECT. 45, table amended, 1948, 109 § 1; revised, 1952, 378 § 1; next to last paragraph amended, 1948, 109 § 2; 1952, 378 § 2; section revised, 1953, 478 § 1. (See 1953, 478 § 2.)

SECT. 45A added, 1954, 99 (regulating the taking of trout in coastal waters).

SECT. 48 amended, 1948, 110; first sentence revised, 1948, 343.

SECT. 53 amended, 1947, 172.

SECT. 53A added, 1948, 249 (providing for a close season on all birds and mammals during certain periods); revised, 1950, 234.

SECT. 57 revised, 1953, 21.

SECT. 61A added, 1945, 232 (protecting the wood duck); repealed, 1951, 217.

SECT. 64 revised, 1953, 481 § 1. (See 1953, 481 § 2.)

SECT. 65 amended, 1951, 254; sentence added at end, 1952, 171; section revised, 1953, 481 § 1. (See 1953, 481 § 2.)

SECT. 68 amended, 1943, 90; revised, 1948, 615 § 3; 1949, 758 § 1; first sentence revised, 1951, 294 § 1; clause (b) revised, 1950, 107; 1951, 294 § 2; clause (c) revised, 1951, 294 § 3; clause (k) amended, 1951, 294 § 4; clause (l) amended, 1950, 138; section revised, 1953, 482 § 1. (See 1953, 482 § 2.)

SECT. 68A added, 1948, 615 § 4 (relative to the registration and identification of animal traps); revised, 1949, 758 § 2.

SECT. 70 amended, 1948, 615 § 5.

SECT. 72 repealed, 1949, 758 § 3.

SECT. 76 repealed, 1949, 758 § 3.

SECT. 78, first sentence amended, 1947, 275; first paragraph revised, 1949, 304.

SECT. 78 stricken out and sections 78-78F inserted, 1950, 438 (further regulating the taking and hunting of birds and mammals).

SECT. 79 revised, 1949, 282.

SECT. 80 revised, 1953, 480 § 1. (See 1953, 480 § 2.)

SECT. 80A added, 1953, 241 § 1 (requiring the tagging of deer taken). (See 1953, 241 § 2.)

SECT. 81 revised, 1952, 284.

SECT. 82, sentence added at end, 1953, 115.

SECT. 83, paragraph added at end, 1949, 751.

SECTS. 85A-85C added, 1951, 353 (relative to the use of firearms).

SECT. 89 amended, 1947, 363.

SECT. 97 repealed, 1945, 12.

SECT. 97A added, 1943, 463 (relative to the disposition by counties of revenue received from the federal government by reason of federal wildlife refuges situated therein); repealed, 1945, 12.

SECT. 101 revised, 1943, 100.

SECT. 101A added, 1946, 334 (penalizing the use of certain firearms for hunting purposes).

SECT. 103, paragraph (2) amended, 1946, 333; tenth paragraph revised, 1951, 429.

SECT. 105A added, 1950, 424 (relative to the breeding and raising of mink).

SECT. 107, next to last paragraph revised, 1948, 327.

SECT. 111, paragraph added at end, 1946, 412; section revised, 1947, 397; first sentence revised, 1952, 349.

SECT. 112, last sentence revised, 1950, 235.

SECT. 117A added, 1949, 507 (relative to the draining of certain ponds, reservoirs and other bodies of water).

Chapter 132. — Forestry.

For temporary legislation relative to suppression of the gypsy moth, see 1952, 622.

SECT. 1 amended, 1937, 415 § 2; 1941, 490 § 36; 1947, 344 § 26; 1948, 660 § 2. (See 1948, 660 § 26.)

SECT. 1A added, 1948, 660 § 3 (relative to the duties of the chief moth superintendent); amended, 1949, 761 § 1.

SECT. 4 revised, 1948, 660 § 4; amended, 1949, 761 § 2.

SECT. 5 repealed, 1932, 180 § 27.

SECT. 6 revised, 1941, 455; amended, 1952, 363.

SECT. 8 revised, 1948, 660 § 5; 1949, 761 § 3.

SECT. 9 revised, 1952, 308 § 1.

SECT. 11 revised, 1937, 415 § 3; 1948, 660 § 6; first sentence amended, 1949, 761 § 4; 1950, 422.

SECT. 11A added, 1952, 480 § 1 (relative to elimination of white pine blister rust by department of conservation). (See 1952, 480 § 3.)

SECT. 12 amended, 1937, 415 § 4; revised, 1948, 660 § 7.

SECT. 12A added, 1945, 401 (relative to suppression of gypsy moths, etc., on land of the commonwealth); revised, 1948, 660 § 8; 1949, 761 § 5.

SECT. 13 revised, 1935, 87; amended, 1937, 415 § 5; revised, 1948, 660 § 9; last sentence stricken out and two sentences inserted, 1949, 761 § 6; last sentence revised, 1950, 694 § 1.

SECT. 14 revised, 1937, 415 § 6; revised, 1948, 660 § 10; third paragraph revised, 1949, 761 § 7; amended, 1950, 694 § 2; revised, 1951, 488; sixth paragraph revised, 1949, 761 § 8.

SECT. 15 revised, 1948, 660 § 11.

SECT. 16 revised, 1948, 660 § 12.

SECT. 17 amended, 1937, 415 § 6A; last sentence revised, 1946, 432 § 10; section revised, 1948, 660 § 13.

SECT. 18 amended, 1937, 415 § 6B; revised, 1948, 660 § 14.

SECT. 18A added, 1949, 174 (authorizing municipalities to form districts and pool expenditures for the suppression of certain insect pests); first paragraph revised, 1952, 489 § 1.

SECT. 18B added, 1949, 211 (authorizing counties to engage in the work of suppression of certain insect pests); revised, 1952, 489 § 2.

SECT. 19 revised, 1948, 660 § 15.

SECT. 22 amended, 1937, 415 § 7; revised, 1948, 660 § 16.

SECT. 23 revised, 1948, 660 § 17.

SECT. 24 revised, 1948, 660 § 18.

SECT. 25 revised, 1937, 415 § 8; 1948, 660 § 19; amended, 1949, 761 § 9.

SECT. 26 amended, 1937, 415 § 9; revised, 1948, 660 § 20; sentence added at end, 1954, 118.

SECTS. 26A-26D added, 1949, 761 § 10 (relative to the eradication of the Dutch elm disease).

SECT. 26C amended, 1950, 694 § 3.

SECT. 26D revised, 1952, 489 § 3.

SECT. 27 amended, 1937, 415 § 10; revised, 1948, 660 § 21.

SECT. 28 amended, 1937, 415 § 11; revised, 1948, 660 § 22.

SECT. 29 repealed, 1948, 660 § 23.

SECT. 30, last sentence revised, 1945, 514.

SECT. 33 amended, 1935, 373; 1936, 415 § 1. (See 1936, 415 § 3.)

SECT. 34, new paragraph added at end, 1935, 233.

SECT. 34A, first paragraph revised, 1950, 574; paragraph added at end, 1947, 366.

SECT. 35 amended, 1952, 308 § 2.

SECT. 36 revised, 1936, 415 § 2. (See 1936, 415 § 3.)

SECT. 36A added, 1945, 27 (relative to the acquisition by prescription or adverse possession of title to lands of the commonwealth under control of the department of conservation).

SECTS. 40-45 added, under caption "FOREST CUTTING PRACTICES", 1943, 539.

SECTS. 42, 43 and 44 revised, 1952, 427.

Chapter 132A. — State Recreation Areas outside of the Metropolitan Parks District (former title, State Parks and Reservations outside of the Metropolitan Parks District).

SECT. 1 amended, 1954, 419 § 2. (See 1954, 419 § 6.)

SECT. 2 amended, 1941, 490 § 37; 1954, 419 § 3. (See 1954, 419 § 6.)

SECT. 4 amended, 1954, 419 § 4. (See 1954, 419 § 6.)

SECT. 5 amended, 1946, 432 § 11.

SECT. 7 revised, 1941, 722 § 11.

SECT. 9 amended, 1933, 75 § 4.

SECT. 10 added, 1954, 419 § 5 (establishing the State Recreation Areas Fund). (See 1954, 419 § 6.)

Chapter 135. — Unclaimed and Abandoned Property.

SECT. 1 revised, 1947, 441 § 1.

SECTS. 2-4 repealed, 1947, 441 § 2.

SECT. 8 amended, 1938, 98 § 1.

SECT. 9 amended, 1938, 98 § 3.

SECT. 11 amended, 1938, 98 § 2.

Chapter 136. — Observance of the Lord's Day.

SECT. 2 amended, 1933, 150 § 1; 1934, 63; 1935, 78; 1946, 207 § 1.

SECT. 4 amended, 1945, 575; revised, 1953, 596; 1954, 303.

SECT. 4A added, 1933, 150 § 2 (relative to the licensing of certain enterprises to be held on the Lord's day at amusement parks and beach resorts); revised, 1933, 309 § 1; sentence added at end, 1946, 207 § 2. (See 1933, 309 § 2.)

SECT. 4B added, 1946, 207 § 3 (relative to the licensed operation on the Lord's Day of bowling alleys).

SECT. 6, second and third paragraphs amended, 1934, 328 § 7; fourth paragraph amended, 1932, 96; 1934, 354; paragraph added at end, 1933, 150 § 3; section revised, 1934, 373 § 6; third paragraph amended, 1936, 129; 1937, 286; 1950, 256 § 1; fourth paragraph amended, 1938, 143; same paragraph revised, 1943, 473; 1950, 681; 1951, 504; 1954, 217; last paragraph revised, 1946, 207 § 4; paragraph added at end, 1949, 190; 1950, 322.

SECT. 7 amended, 1934, 328 § 8; revised, 1934, 373 § 7.

SECT. 8 amended, 1937, 124.

SECT. 9 amended, 1953, 108.

SECT. 13 amended, 1932, 105.

SECT. 17, sentence added at end, 1933, 150 § 4; section amended, 1934, 55; revised, 1938, 60.

SECT. 19 repealed, 1950, 256 § 2.

SECT. 21 revised, 1935, 104, 169; 1946, 318 § 1; amended, 1948, 119; revised, 1951, 32; 1954, 132. (See 1946, 318 § 1.)

SECT. 22. See 1933, 136; 1935, 49.

Chapter 138. — Alcoholic Liquors (Old Title, Intoxicating Liquors and Certain Non-Intoxicating Beverages).

Chapter stricken out, and new chapter 138 inserted, 1933, 376 § 2.

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 138 as so inserted:

SECT. 1, new paragraph (definition of "Alcohol") added, 1935, 440 § 1; definition of "Restaurant" amended, 1936, 368 § 1; eighth paragraph (definition of "Club") revised, 1934, 385 § 1; definition of "Tavern" amended, 1934, 121 § 1; 1935, 253 § 1; definition of "Wines" revised, 1941, 637 § 1. (See 1941, 637 § 3.)

SECT. 2 revised, 1934, 305, 372 § 4; 1935, 440 § 2; first sentence revised, 1939, 470 § 1; 1943, 542 § 1.

SECT. 3 amended, 1935, 440 § 3.

SECT. 4 amended, 1934, 385 § 2.

SECT. 7 amended, 1935, 440 § 4.

SECT. 10 amended, 1935, 440 § 5.

SECT. 10A revised, 1943, 542 § 2.

SECT. 10B added, 1934, 570 § 11 (authorizing the alcoholic beverages control commission to remove a member of a local licensing board under certain conditions).

SECT. 11 revised, 1936, 207 § 1; 1947, 138 § 3. (See 1935, 281.)

SECT. 11A, first paragraph amended, 1934, 142 § 1; paragraph inserted, 1934, 142 § 2; paragraph added at end, 1934, 142 § 3; section revised, 1934, 211 § 1; last paragraph stricken out, 1935, 440 § 6; section revised, 1951, 208. (See 1934, 142 § 4, 211 § 2.)

SECT. 12, first paragraph amended, 1934, 121 § 2; last sentence of first paragraph revised, 1934, 370 § 1; second paragraph amended, 1934, 121 § 2; sentence contained in lines 42-53 revised, 1934, 370 § 2; section revised, 1934, 385 § 3; first paragraph amended, 1935, 253 § 2; revised, 1935, 440 § 7; new paragraph inserted after first paragraph, 1935, 253 § 3; proviso contained in lines 46-48 stricken out, 1935, 253 § 4; third paragraph revised, 1935, 440 § 8; next to last paragraph stricken out, 1935, 440 § 9; section revised, 1935, 468 § 1; first paragraph amended,

1936, 207 § 2; second sentence of first paragraph amended, 1949, 391; last sentence of first paragraph revised, 1937, 331; 1943, 542 § 3; second paragraph revised, 1936, 368 § 2; amended, 1943, 542 § 4; paragraph inserted after third paragraph, 1948, 649; paragraph added at end, 1937, 264. (See 1943, 542 § 20.)

SECT. 12A added, 1950, 372 (relative to the renewal of licenses to sell liquor in restaurants).

SECT. 13, last two sentences stricken out, 1934, 385 § 4; section revised, 1935, 440 § 10.

SECT. 14 amended, 1934, 370 § 3; paragraph added at end, 1935, 440 § 11.

SECT. 15, first paragraph amended, 1934, 385 § 5; revised, 1935, 440 § 12; last paragraph revised, 1934, 370 § 4; last sentence revised, 1936, 225 § 1; second paragraph revised, 1938, 353.

SECT. 15A added, 1934, 370 § 5 (relative to the publication of applications for original licenses); revised, 1935, 440 § 13; 1939, 414; amended, 1943, 542 § 5.

SECT. 16 revised, 1936, 368 § 3.

SECT. 16A revised, 1934, 385 § 6; 1937, 424 § 1.

SECT. 16B revised, 1935, 440 § 14; paragraph added at end, 1937, 291; section revised, 1937, 424 § 2; second paragraph revised, 1939, 92; section amended, 1943, 542 § 6.

SECT. 16C added, 1954, 569 § 1 (limiting licenses for the sale of alcoholic beverages near schools and churches). (See 1954, 569 §§ 2, 3.)

SECT. 17, second proviso of first paragraph amended, 1934, 385 § 7; first paragraph amended, 1935, 81; last paragraph revised, 1934, 83; section revised, 1935, 440 § 15; first paragraph amended, 1936, 136, 245; 1937, 14 § 1; second paragraph revised, 1936, 199; paragraph added after the second paragraph, 1936, 368 § 4; section revised, 1937, 424 § 3; paragraph in lines 77-105 amended, 1946, 305; 1953, 310; paragraph in lines 106-118 revised, 1939, 263; paragraph in lines 119-122 revised, 1941, 522; same paragraph amended, 1945, 666; revised, 1950, 222; 1951, 145; paragraph added at end, 1952, 197 § 1. (See 1937, 14 § 2; 1952, 197 § 2.)

SECT. 18, first paragraph revised, 1935, 440 § 16; first sentence revised, 1943, 542 § 7; two paragraphs added, 1934, 385 § 8; paragraph added at end, 1943, 542 § 8.

SECT. 18A added, under caption "SELLING AGENTS OF FOREIGN IMPORTERS AND MANUFACTURERS", 1934, 312; first paragraph revised, 1935, 440 § 17.

SECT. 18B added, 1943, 542 § 9 (relative to the issuance of certificates of compliance to persons licensed outside the commonwealth to export and sell alcoholic beverages to licensees under this chapter).

SECT. 19, first paragraph revised, 1935, 440 § 18; second paragraph amended, 1934, 385 § 9; last paragraph amended, 1934, 385 § 10; 1935, 440 § 19; paragraph added at end, 1936, 368 § 5.

SECT. 19A added, 1934, 385 § 11 (relative to the licensing of salesmen for manufacturers and for wholesalers and importers); revised, 1935, 440 § 20.

SECT. 20 revised, 1934, 385 § 12; first paragraph amended, 1936, 368 § 6; paragraph inserted, 1936, 368 § 7; section revised, 1943, 542 § 10.

SECT. 20A added, 1937, 424 § 4 (relative to granting permits to pub-

lic warehousemen to store and warehouse alcoholic beverages); amended, 1953, 654 § 95.

SECT. 21 revised, 1934, 385 § 13; first paragraph amended, 1935, 440 § 21; first six paragraphs revised, 1936, 411 § 1; 1939, 367 § 1; first paragraph (as appearing in 1939, 367 § 1) amended, 1943, 542 § 11; third paragraph (as so appearing) stricken out and two new paragraphs inserted, 1941, 637 § 2; sixth paragraph (as so appearing) revised, 1943, 36; first seven paragraphs stricken out and eight paragraphs inserted, 1947, 625 § 1; next to the last paragraph (as appearing in 1934, 385 § 13) amended, 1936, 368 § 8; last paragraph (as so appearing) revised, 1939, 451 § 55; paragraph added at end, 1939, 394; same paragraph stricken out and two paragraphs inserted, 1947, 524; section amended, 1953, 654 § 96; revised, 1954, 402. [For prior temporary additional excise, 1939, 434; 1941, 339; 1943, 423; 1945, 546. Additional excise, 1945, 731 § 11; 1953, 246 § 11.] (See 1936, 411 § 2; 1939, 367 § 2; 1941, 637 § 3; 1947, 625 §§ 3, 4.)

SECT. 22 revised, 1934, 385 § 14; 1935, 440 § 22; fourth and fifth paragraphs stricken out and new paragraph inserted, 1937, 418.

SECT. 22A added, 1934, 385 § 15 (providing for the granting by the alcoholic beverages control commission in certain cases of permits to sell alcoholic beverages).

SECT. 23, sentence added at end of fourth paragraph, 1934, 370 § 6; last paragraph amended, 1934, 245; section revised, 1934, 385 § 16; fifth paragraph amended, 1935, 253 § 5; last four paragraphs stricken out, and five new paragraphs inserted, 1935, 440 § 23; second of the paragraphs so inserted revised, 1941, 578; fourth paragraph revised, 1938, 238; sentence added at end of next to last paragraph, 1939, 470 § 2; section revised, 1943, 542 § 12.

SECT. 23A added, 1945, 215 (authorizing the Alcoholic Beverages Control Commission to take action to eliminate unfair competition and other trade abuses in the sale of alcoholic beverages); revised, 1950, 780.

SECT. 24, first sentence amended, 1934, 232; section revised, 1943, 542 § 13; first sentence revised, 1952, 426.

SECTS. 25A, 25B added, 1946, 304 (prohibiting discrimination between licensees authorized to sell alcoholic beverages by eliminating the practice of granting special inducements to favored licensees).

SECT. 25B, paragraph (e) revised, 1950, 261.

SECT. 25C added, 1952, 385, 567 § 1 (relative to the elimination of certain trade abuses). (See 1952, 567 § 2.)

SECT. 26, first paragraph amended, 1935, 440 § 24.

SECT. 27 revised, 1934, 301 § 1; amended, 1934, 385 § 23; revised, 1935, 442; amended, 1936, 436 § 3; revised, 1936, 438; 1941, 729 § 13; 1947, 625 § 2. (See 1936, 436 § 4; 1941, 729 § 15; 1947, 625 § 4.)

SECT. 28 amended, 1934, 112.

SECT. 29 revised, 1935, 440 § 25.

SECT. 30 amended, 1935, 83 § 1; 1943, 542 § 14. (See 1935, 83 § 2.)

SECT. 30A revised, 1934, 370 § 7; 1935, 440 § 26.

SECT. 30B amended, 1935, 440 § 27; paragraph added at end, 1936, 368 § 9.

SECT. 30D amended, 1935, 440 § 28.

SECT. 30E, first paragraph amended, 1935, 440 § 29.

SECT. 30F revised, 1935, 440 § 30.

SECT. 30G amended, 1935, 440 § 31.

SECT. 30H added, 1935, 440 § 32 (possession or transportation of alcoholic beverages or alcohol under certain circumstances deemed *prima facie* evidence of violation of law).

SECT. 31 amended, 1935, 440 § 33; revised, 1936, 368 § 10.

SECT. 32 amended, 1934, 370 § 8.

SECT. 33 revised, 1934, 370 § 9; amended, 1935, 468 § 2; last sentence revised, 1936, 225 § 2; section amended, 1937, 268; 1941, 356.

SECT. 34 amended, 1935, 440 § 34; revised, 1936, 171; 1937, 424 § 5; amended, 1943, 542 § 15.

SECT. 34A added, 1935, 146 (relative to procuring by false representation sales or delivery of alcoholic beverages to minors); revised, 1935, 440 § 35.

SECT. 36 amended, 1934, 385 § 17.

SECT. 37 revised, 1934, 385 § 18.

SECT. 38 amended, 1941, 199.

SECTS. 42-55 affected, 1935, 440 § 36.

SECT. 42, paragraph added at end, 1935, 440 § 36.

SECT. 46 amended, 1934, 370 § 10; 1935, 440 § 37.

SECT. 56 revised, 1935, 440 § 38; 1936, 368 § 11.

SECT. 57 revised, 1936, 368 § 12.

SECT. 62 amended, 1935, 440 § 39.

SECT. 63, first sentence revised, 1934, 385 § 19; section revised, 1935, 440 § 40; 1936, 368 § 13.

SECT. 63A revised, 1935, 440 § 41; 1943, 542 § 16.

SECT. 64 revised, 1934, 385 § 20.

SECT. 65 revised, 1943, 542 § 17.

SECT. 67 amended, 1934, 385 § 21; revised, 1935, 440 § 42; amended, 1938, 400; first paragraph amended, 1943, 542 § 18; section revised, 1953, 672; last two paragraphs stricken out and three paragraphs inserted, 1954, 574.

SECT. 70 revised, 1934, 301 § 2; 1945, 598.

SECT. 71 amended, 1953, 654 § 97.

SECTS. 72-75 repealed, 1934, 372 § 1.

SECT. 76 revised, 1934, 372 § 2; next to last sentence revised, 1934, 385 § 22; section revised, 1935, 440 § 43.

SECT. 77 revised, 1943, 542 § 19.

Chapter 139. — Common Nuisances.

SECT. 2, sentence added at end, 1945, 697 § 5.

SECT. 14, caption amended, 1934, 328 § 9; section amended, 1934, 328 § 10.

SECT. 16 amended, 1934, 328 § 11.

SECT. 16A amended, 1934, 328 § 12.

SECT. 17 repealed, 1934, 328 § 13.

SECT. 19 amended, 1934, 328 § 14.

SECT. 20 amended, 1934, 328 § 15; 1948, 132.

Chapter 140. — Licenses.

SECT. 4 amended, 1934, 171 § 1.

SECT. 6 amended, 1937, 424 § 6; revised, 1941, 439 § 1.

SECT. 6A added, 1937, 424 § 7 (providing for the granting of common victuallers' licenses and licenses to sell alcoholic beverages upon

condition that licensed premises are equipped and furnished according to plans and estimates approved in advance); repealed, 1941, 439 § 2.

SECT. 8 amended, 1936, 368 § 14; revised, 1943, 328.

SECT. 9A added, 1939, 431 (relative to the keeping of the premises of common victuallers open for business).

SECT. 10 amended, 1935, 167.

SECT. 12 revised, 1932, 86; 1933, 92; 1943, 31.

SECTS. 21E and 21F added, under caption "ORGANIZATIONS DISPENSING FOOD OR BEVERAGES TO MEMBERS AND GUESTS", 1933, 284 (providing for the regulation of such organizations).

SECT. 21E, last sentence revised, 1934, 328 § 16; affected, 1934, 328 § 17.

SECT. 23 revised, 1952, 577.

SECT. 26 revised, 1954, 61.

SECT. 27, first sentence amended, 1947, 375; 1950, 326 § 1; 1954, 134 § 1.

SECT. 29 amended, 1953, 135.

SECTS. 32A-32E added, 1939, 416 (requiring the licensing of recreational camps, overnight camps or cabins and trailer camps); caption preceding section 32A revised, 1950, 326 § 2; 1954, 134 § 2.

SECT. 32A amended, 1950, 326 § 3; 1954, 134 § 3.

SECT. 32B amended, 1941, 396; revised, 1945, 153; first two sentences amended, 1950, 326 § 4: first sentence amended, 1954, 134 § 4; second sentence revised, 1950, 802 § 1. (See 1950, 802 §§ 4, 5.)

SECT. 32C amended, 1950, 326 § 5; 1954, 134 § 5.

SECT. 32D amended, 1950, 326 § 6; 1954, 134 § 6.

SECT. 32E amended, 1950, 326 § 7; 1954, 134 § 7.

SECTS. 32F-32K added, 1950, 326 § 8 (providing for the regulation of trailer coach parks).

SECT. 32F, sentence added at end, 1950, 802 § 2; paragraph added at end, 1951, 74. (See 1950, 802 §§ 4, 5.)

SECT. 32G revised, 1950, 802 § 3; 1952, 583 § 1; 1954, 410. (See 1950, 802 §§ 4, 5; 1952, 583 § 3.)

SECT. 48 repealed, 1937, 342 § 2.

SECT. 51 amended, 1932, 275; 1935, 428 § 3; 1936, 55 § 1; revised, 1941, 626 § 12; amended, 1947, 253. (See 1935, 428 §§ 6, 7; 1936, 55 § 2.)

SECT. 52 amended, 1935, 428 § 4. (See 1935, 428 § 7.)

SECT. 55 amended, 1938, 59.

SECT. 56A added, 1951, 345 (relative to the licensing of shooting galleries).

SECT. 57, sentence added at end, 1952, 103 § 1.

SECT. 58, second paragraph revised, 1948, 181 § 1; definition of "*Class 2*" revised, 1952, 103 § 2.

SECT. 59 amended, 1934, 254 § 1; 1938, 96; revised, 1948, 181 § 2. (See 1934, 254 § 2; 1953, 349.)

SECT. 60 revised, 1948, 201 § 3. (See 1948, 201 § 4.)

SECT. 62 amended, 1948, 181 § 3.

SECT. 65 revised, 1948, 181 § 4.

SECT. 71 revised, 1943, 154.

SECT. 90, three sentences added at end, 1934, 179 § 1; section revised, 1946, 223 § 1. (See 1946, 223 § 2.)

SECT. 96, sentence added at end, 1934, 179 § 2; section amended, 1941, 158 § 1. (See 1941, 158 §§ 2, 3.)

SECT. 100 amended, 1946, 119; revised, 1946, 174 § 1. (See 1946, 174 § 2.)

SECT. 115 revised, 1948, 550 § 21; 1949, 297 § 7.

SECT. 121 amended, 1934, 359 § 1.

SECT. 129A repealed, 1945, 254.

SECT. 130, sentence added at end, 1945, 132; section revised, 1951, 373 § 1.

SECT. 130A added, 1951, 373 § 2 (further regulating the sale of firearms).

SECT. 131 revised, 1936, 302; amended, 1951, 201; 1953, 319 § 20; sentence added at end, 1953, 454. (See 1953, 319 §§ 39, 40.)

SECT. 131C added, 1934, 246 (prohibiting persons licensed to carry pistols and revolvers from carrying the same in vehicles unless said weapons are under their control therein).

SECT. 131D added, 1947, 492 § 5 (relative to the emission of smoke by steam locomotives); repealed, 1954, 672 § 7.

SECT. 132 repealed, 1954, 672 § 7.

SECT. 133 amended, 1939, 451 § 56; revised, 1948, 550 § 22; 1949, 297 § 8; repealed, 1954, 672 § 7.

SECT. 134 repealed, 1954, 672 § 7.

SECT. 135 repealed, 1954, 672 § 7.

SECT. 136 revised, 1947, 492 § 6; repealed, 1954, 672 § 7.

SECT. 136A, under caption "dogs", added, 1934, 320 § 1 (definitions of certain words and phrases in sections 137-175); amended, 1943, 111 § 1. (See 1934, 320 § 34.)

SECT. 137 amended, 1932, 289 § 1; revised (and caption stricken out) 1934, 320 § 2; revised, 1943, 111 § 2; 1945, 140. (See 1934, 320 § 34.)

SECTS. 137A-137C added, 1934, 320 § 3 (relative to kennel licenses and regulating holders of such licenses). (See 1934, 320 § 34.)

SECT. 137A, paragraph added at end, 1937, 95; first paragraph stricken out and three paragraphs inserted, 1943, 111 § 3.

SECT. 137C revised, 1939, 206.

SECT. 137D added, 1948, 329 (prohibiting the issuing of dog licenses to persons convicted of cruelty to animals).

SECT. 138 revised, 1934, 320 § 4; 1938, 92; 1943, 111 § 4. (See 1934, 320 § 34.)

SECT. 139 amended, 1934, 320 § 5; sentence added at end, 1939, 23; sentence added at end, 1941, 132. (See 1934, 320 § 34.)

SECT. 140 repealed, 1934, 320 § 6. (See 1934, 320 § 34.)

SECT. 141 revised, 1934, 320 § 7. (See 1934, 320 § 34.)

SECTS. 142-144 repealed, 1934, 320 § 8. (See 1934, 320 § 34.)

SECT. 145 amended, 1932, 289 § 2.

SECT. 145A added, 1932, 289 § 3 (relative to the furnishing of anti-rabic vaccine); revised, 1934, 320 § 9; 1937, 375; last sentence revised, 1939, 42. (See 1934, 320 § 34.)

SECT. 146 revised, 1934, 320 § 10; 1941, 133 § 1. (See 1934, 320 § 34.)

SECT. 147 revised, 1932, 289 § 4; 1934, 320 § 11; amended, 1941, 133 § 2. (See 1934, 320 § 34.)

SECT. 148 repealed, 1932, 289 § 6. (See G. L. chapter 41 § 13A, inserted by 1932, 289 § 5.)

SECT. 150 revised, 1934, 320 § 12; 1954, 357. (See 1934, 320 § 34.)

SECT. 151 revised, 1934, 320 § 13; fifth sentence revised, 1948, 11 § 1.

SECT. 151A added, 1934, 320 § 14 (powers and duties of dog officers under annual warrants from mayors or selectmen); last sentence revised, 1948, 11 § 2. (See 1934, 320 § 34.)

SECT. 152 revised, 1934, 320 § 15. (See 1934, 320 § 34.)

SECT. 153 revised, 1934, 320 § 16. (See 1934, 320 § 34.)

SECT. 154 repealed, 1934, 320 § 17. (See 1934, 320 § 34.)

SECT. 155 revised, 1934, 320 § 18. (See 1934, 320 § 34.)

SECT. 156 revised, 1934, 320 § 19; 1951, 156. (See 1934, 320 § 34.)

SECT. 157 revised, 1934, 320 § 20. (See 1934, 320 § 34.)

SECT. 158 revised, 1934, 320 § 21. (See 1934, 320 § 34.)

SECT. 159 revised, 1934, 320 § 22. (See 1934, 320 § 34.)

SECT. 160 revised, 1934, 320 § 23. (See 1934, 320 § 34.)

SECT. 161, first two sentences amended, 1932, 289 § 7; section amended, 1934, 320 § 24. (See 1934, 320 § 34.)

SECT. 161A added, 1934, 320 § 25 (reimbursement for damages by dogs regulated). (See 1934, 320 § 34.)

SECT. 162 revised, 1934, 320 § 26. (See 1934, 320 § 34.)

SECT. 163 amended, 1934, 320 § 27. (See 1934, 320 § 34.)

SECT. 164 amended, 1934, 320 § 28. (See 1934, 320 § 34.)

SECT. 165 revised, 1934, 320 § 29. (See 1934, 320 § 34.)

SECT. 166 amended, 1934, 320 § 30. (See 1934, 320 § 34.)

SECT. 170 amended, 1934, 320 § 31. (See 1934, 320 § 34.)

SECT. 171 revised, 1934, 320 § 32. (See 1934, 320 § 34.)

SECT. 172 revised, 1932, 289 § 8.

SECT. 174 amended, 1953, 319 § 21. (See 1953, 319 §§ 39, 40.)

SECT. 175 revised, 1932, 289 § 9; 1934, 320 § 33; 1943, 93; repealed, 1945, 276 § 2. (See 1934, 320 § 34.)

SECT. 176 revised, 1948, 550 § 23.

SECT. 177A added, 1949, 361 (relative to the licensing and operation of mechanical amusement devices).

SECT. 179 revised, 1948, 434.

SECTS. 180A-180D added, under caption "THEATRICAL BOOKING AGENTS, PERSONAL AGENTS AND MANAGERS", 1935, 378 (providing for the licensing and bonding of certain theatrical booking agents, personal agents and managers).

SECT. 180A revised, 1946, 566 § 1; paragraph added at end, 1948, 256; section revised, 1954, 630.

SECT. 180B revised, 1946, 566 § 2.

SECT. 180C revised, 1946, 566 § 3.

SECT. 181. Affected by 1935, 454 § 8.

SECT. 181A added, 1948, 534 (requiring certain entertainers and persons appearing under assumed names to file their true names with the commissioner of public safety).

SECT. 181B added, 1949, 132 (requiring the posting of the schedule of admission prices to travelling entertainments).

SECT. 183A amended, 1935, 102 § 1; 1936, 71 § 1. (See 1935, 102 § 2.)

SECT. 183B repealed, 1936, 71 § 2.

SECT. 183D added, 1951, 216 (requiring common victuallers and others to post minimum charges).

SECT. 184 amended, 1934, 328 § 18.

SECT. 185A amended, 1936, 279; paragraph added at end, 1941, 247.

SECT. 185H added, 1939, 253 (relative to the licensing and supervision of dancing schools, so called).

SECT. 186 amended, 1936, 169 § 1.

SECT. 187 amended, 1936, 169 § 2.

SECT. 192 revised, 1948, 550 § 24; 1949, 297 § 9.

SECT. 202 revised, 1936, 169 § 3; 1948, 550 § 25; 1949, 297 § 10.

Chapter 141. — Supervision of Electricians.

SECT. 1, first paragraph amended, 1943, 308.

SECT. 2, fourth paragraph stricken out, 1946, 480 § 1.

SECT. 2A added, 1946, 480 § 2 (granting a credit in the examination standing of certain veterans applying for electricians' licenses); revised, 1954, 627 § 29. (See 1954, 627 §§ 41, 65, 67.)

SECT. 3, clause (3) revised, 1954, 190 § 1; clause (4) amended, 1934, 347 § 1; clause (5) amended, 1954, 190 § 2; clause (8) amended, 1948, 187.

SECT. 8 revised, 1948, 629 § 1. (See 1948, 629 § 2.)

Chapter 142. — Supervision of Plumbing.

SECT. 3, sentence inserted after the first sentence, 1948, 382.

SECT. 4, first sentence revised, 1947, 382; paragraph added at end, 1946, 502; revised, 1954, 627 § 30. (See 1954, 627 §§ 65, 67.)

SECT. 5 revised, 1954, 200.

SECT. 6 revised, 1934, 347 § 2.

SECT. 11 amended, 1945, 703 § 11; revised, 1954, 627 § 31. (See 1954, 627 §§ 65, 67.)

SECT. 13 amended, 1934, 284; 1954, 157.

SECT. 15 revised, 1952, 112.

SECT. 17 revised, 1936, 234; 1941, 518 § 1; paragraph added at end, 1945, 477.

SECT. 18 revised, 1941, 518 § 2.

SECT. 19 revised, 1941, 518 § 3.

SECT. 21 added, 1938, 302 (providing for regulation of plumbing in buildings owned and used by the commonwealth).

SECT. 22 added, 1941, 518 § 4 (providing for the enforcement of certain laws relative to the marking, construction and installation of hot water tanks).

Chapter 143. — Inspection and Regulation of, and Licenses for, Buildings, Elevators and Cinematographs.

SECT. 1, definition of "Alteration" revised, 1945, 480; definitions of "Building" and "Commissioner" inserted, 1945, 480; definition of "Inspector" amended, 1943, 544 § 7B; revised, 1945, 480; definition of "Place of assembly" inserted after paragraph in lines 12-14, 1943, 546 § 1; revised, 1945, 480; definition of "Public building" revised, 1945, 480; definition of "Public hall" revised, 1946, 363 § 1; definition of "Special hall" revised, 1941, 694; definition of "Structure" inserted, 1945, 480; definition of "Supervisor of plans" revised, 1946, 363 § 1. (See 1945, 722 § 2.)

SECT. 2 amended, 1949, 125.

SECT. 2A added, 1948, 582 § 1 (excluding the state house from certain provisions of law relating to the safety of persons in buildings); sentence added at end, 1951, 430. (See 1948, 582 § 3.)

SECT. 2B added, 1949, 547 (providing for regulations relative to fire protection and prevention in the state house).

SECT. 2C added, 1954, 34 (relative to the evacuation of the state house in case of fire or other disaster).

SECT. 3 revised, 1943, 544 § 2; 1945, 674 § 1; first paragraph revised, 1946, 363 § 2; amended, 1949, 156 § 3; paragraph inserted after second paragraph, 1946, 423; paragraph added at end, 1949, 156 § 4; amended, 1951, 85. (See 1945, 722 § 2.)

SECTS. 3A–3H added, 1943, 544 § 2 (providing for rules and regulations for protecting life and limb in places of assembly and for the enforcement of laws, rules and regulations, ordinances and by-laws for protecting the same therein). (See 1943, 544 §§ 7A and 8.)

SECT. 3A revised, 1945, 482 § 1. (See 1945, 722 § 2.)

SECT. 3B revised, 1945, 645 § 2; sentence inserted after first sentence, 1947, 646; fourth paragraph amended, 1948, 144 § 1.

SECT. 3C repealed, 1945, 645 § 3.

SECT. 3D revised, 1945, 482 § 2. (See 1945, 722 § 2.)

SECTS. 3E and 3F repealed, 1945, 645 § 3.

SECT. 3G revised, 1945, 482 § 3; 1946, 363 § 3. (See 1945, 722 § 2.)

SECT. 3H revised, 1945, 645 § 4.

SECTS. 3I–3K added, 1947, 631 § 1 (to provide regulations for the prevention of fire and the preservation of life, health and morals in buildings used for dwelling purposes and to provide for alternatives to the requirements of ordinances, by-laws or regulations relative to the construction, alteration, repair, use or occupancy of such buildings).

SECT. 3I amended, 1948, 438 § 1.

SECT. 3J amended, 1950, 534 § 1; third paragraph amended, 1952, 158.

SECT. 3K, paragraph added at end, 1948, 438 § 2; same paragraph amended, 1949, 530; section repealed, 1950, 534 § 2.

SECT. 3L added, 1950, 617 § 1 (relative to rules and regulations for the installation, repair and maintenance of electrical wiring and fixtures). (See 1950, 617 § 2.)

SECT. 3M added, 1951, 285 (relative to the depth and slant of window ledges on certain new buildings); stricken out, 1951, 752.

SECT. 6 revised, 1946, 363 § 4; amended, 1949, 541 § 1.

SECT. 7, sentence added at end, 1949, 156 § 2.

SECT. 8 amended, 1945, 697 § 1; 1949, 541 § 2.

SECT. 9 revised, 1945, 697 § 2; sentence inserted after first sentence, 1949, 156 § 5; section amended, 1949, 541 § 3.

SECT. 9A added, 1945, 697 § 2A (relative to recovery for damage to other property caused by the making safe or taking down of a dangerous structure). (See 1945, 697 § 2B.)

SECT. 10 revised, 1945, 697 § 3; amended, 1949, 541 § 4.

SECT. 11 amended, 1949, 541 § 5.

SECT. 12 amended, 1945, 697 § 4.

SECT. 13 revised, 1946, 363 § 5.

SECT. 15 amended, 1943, 544 § 3; first sentence amended, 1947, 645 § 1; section revised, 1949, 539; first sentence amended, 1952, 509 § 1. (See 1943, 544 § 7A.)

SECT. 16 amended, 1943, 544 § 3; revised, 1945, 473. (See 1943, 544 § 7A.)

SECT. 20 amended, 1945, 700 § 1.

SECT. 21 amended, 1943, 544 § 3; revised, 1943, 546 § 2; 1945, 536; first sentence revised, 1947, 645 § 2; amended, 1952, 509 § 2. (See 1943, 544 § 7A, 546 § 5; 1945, 722 § 2.)

SECTS. 21A and 21B added, 1943, 546 § 3 (further regulating the means of ingress to and egress from places of assembly and certain other places). (See 1943, 546 §§ 5 and 6.)

SECT. 21A amended, 1945, 474 § 1; 1946, 363 § 6; revised, 1948, 440.

SECT. 21B amended, 1945, 482 § 4; revised, 1945, 722 § 1; paragraph added at end, 1946, 327 § 1; section revised, 1947, 654 § 1; 1948, 502. (See 1947, 654 § 3.)

SECT. 21C added, 1946, 327 § 2 (relative to the use and maintenance of revolving doors, so called, in certain buildings); revised, 1947, 654 § 2; 1948, 439 § 1; 1949, 540; paragraph added at end, 1952, 435. (See 1947, 654 § 3.)

SECTS. 24-33 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 28 revised, 1945, 474 § 2; 1947, 648.

SECT. 29 revised, 1950, 288 § 1. (See 1950, 288 §§ 2, 3.)

SECT. 33 revised, 1945, 533 § 1; 1946, 363 § 7; amended, 1947, 645 § 3; 1948, 439 § 2; 1952, 509 § 3. (See 1945, 722 § 2.)

SECT. 34 revised, 1943, 544 § 4; amended, 1952, 541 § 4; 1954, 158. (See 1943, 544 § 7A.)

SECT. 43 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 44 amended, 1947, 643.

SECTS. 45 and 46 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 47, last sentence stricken out, 1945, 700 § 2.

SECT. 48 amended, 1945, 700 § 3.

SECT. 49 amended, 1943, 544 § 3; revised, 1945, 526. (See 1943, 544 § 7A.)

SECT. 50, sentence added at end, 1945, 472. (See 1945, 722 § 2.)

SECTS. 51 and 52 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 51 revised, 1945, 510.

SECT. 52 revised, 1945, 478.

SECT. 53 amended, 1949, 541 § 6.

SECT. 54 revised, 1943, 544 § 5. (See 1943, 544 § 7A.)

SECT. 55 amended, 1949, 541 § 7.

SECT. 57 revised, 1945, 533 § 2; 1948, 582 § 2. (See 1945, 722 § 2, 1948, 582 § 3.)

SECT. 59 revised, 1943, 544 § 6; 1945, 533 § 3. (See 1943, 544 § 7A; 1945, 722 § 2.)

SECT. 60 amended, 1945, 533 § 4. (See 1945, 722 § 2.)

SECT. 61 revised, 1945, 674 § 2. (See 1945, 722 § 2.)

SECT. 62, sentence added at end, 1950, 509.

SECT. 69 revised, 1945, 643 § 2; second paragraph amended, 1948, 144 § 2.

SECTS. 71A-71C added, 1945, 626 § 1 (providing for the licensing of persons engaged in the construction and maintenance of elevators and escalators). (See 1945, 626 § 2.)

SECT. 71D added, 1946, 495 (providing that persons engaged in certain work in the construction and maintenance of elevators and

escalators need not be licensed as elevator constructors, maintenance men or repairmen).

SECT. 74 revised, 1941, 553 § 1. (See 1941, 553 § 9.)

SECT. 75 revised, 1941, 553 § 2; amended, 1950, 112. (See 1941, 553 § 9.)

SECT. 76 revised, 1941, 553 § 3. (See 1941, 553 § 9.)

SECTS. 77 and 78 repealed, 1941, 553 § 4. (See 1941, 553 § 9.)

SECT. 79 revised, 1941, 553 § 5. (See 1941, 553 § 9.)

SECT. 80 repealed, 1941, 553 § 4. (See 1941, 553 § 9.)

SECT. 82 amended, 1941, 553 § 6. (See 1941, 553 § 9.)

SECT. 85 amended, 1941, 553 § 7. (See 1941, 553 § 9.)

SECT. 86 amended, 1941, 553 § 8. (See 1941, 553 § 9.)

Chapter 145. — Tenement Houses in Towns.

SECT. 17A added, 1934, 168 (relative to the erection of garages in the yards of certain tenement houses).

SECT. 59, sentence added at end, 1948, 550 § 26.

Chapter 146. — Inspection of Boilers, Air Tanks, etc., Licenses of Engineers, Firemen, and Operators of Hoisting Machinery.

SECT. 2 amended, 1941, 459; 1946, 336 § 1.

SECT. 4 amended, 1946, 336 § 2.

SECT. 7 amended, 1948, 321.

SECT. 13 amended, 1952, 153.

SECT. 16 revised, 1932, 180 § 28.

SECT. 18 amended, 1953, 35 § 1.

SECT. 22 revised, 1952, 541 § 1.

SECT. 34 revised, 1938, 319 § 1; sentence added at end, 1947, 620; same sentence revised, 1948, 146.

SECT. 35 amended, 1938, 319 § 2.

SECT. 38 amended, 1953, 35 § 2.

SECT. 40 revised, 1952, 541 § 2.

SECT. 46, first sentence amended, 1953, 207 § 1A.

SECT. 49, last sentence revised, 1953, 207 § 1. (See 1953, 207 § 2.)

SECT. 50 amended, 1935, 67; 1951, 36.

SECT. 52 repealed, 1948, 140.

SECT. 57 revised, 1952, 541 § 3.

SECT. 60 amended, 1951, 398.

SECT. 63 amended, 1952, 154.

SECT. 67 revised, 1941, 525 § 1; amended, 1946, 180; revised, 1951, 393; 1952, 175. (See 1941, 525 § 2.)

SECT. 68 stricken out, 1953, 319 § 22. (See 1953, 319 §§ 39, 40.)

Chapter 147. — State and Other Police, and Certain Powers and Duties of the Department of Public Safety.

SECT. 1A added, 1947, 668 § 1 (relative to the policing of reservations of the United States of America). (See 1947, 668 § 2.)

SECT. 4B added, 1939, 116 (providing that local police authorities and district attorneys be furnished with information relative to certain persons charged with or convicted of sex crimes, so called, upon their release or discharge from certain institutions); revised, 1954, 246.

SECT. 8A added, 1938, 296 (authorizing the carrying of certain weapons by sheriffs, deputy sheriffs and special sheriffs, and certain officers in the department of correction); revised, 1939, 174.

SECT. 10 amended, 1934, 23.

SECT. 10A added, 1949, 148 (authorizing the appointment as special police officers of employees of the Port of Boston Authority).

SECT. 10B added, 1953, 536 (authorizing the appointment as special police officers of certain employees of the department of public health).

SECTS. 13B and 13C added, 1939, 419 § 2 (providing for the ultimate abolition of reserve police forces in certain cities and towns).

SECT. 16A added, 1937, 85 § 1 (providing for one day off in every seven days for police officers in certain cities and towns); revised, 1938, 426 § 1.

SECT. 16B added, 1938, 426 § 2 (providing for one day off in every six days for police officers of certain cities and towns).

SECT. 16C added, 1951, 346 § 1 (providing for a five day work week for police officers in certain cities and towns).

SECT. 17 amended, 1937, 85 § 2; 1938, 426 § 3; 1951, 346 § 2; sentence added at end, 1954, 325.

SECT. 17A added, 1952, 268 (providing additional off duty and extra pay for police officers in certain cases).

SECT. 19, sentence added after the first sentence, 1939, 256 § 2. (See 1939, 256 § 3.)

SECTS. 25A-25C added, 1937, 437 § 1 (relative to promoting peaceful industrial relations by regulating certain forms of private police and detective activity in labor disputes and related matters).

SECT. 25A, sentence added at end, 1953, 76.

SECT. 25B repealed, 1954, 544 § 1.

SECT. 25C revised, 1954, 544 § 2.

SECT. 26 amended, 1937, 437 § 2.

SECT. 30 revised, 1937, 437 § 3.

SECT. 32 revised, 1935, 262 § 1.

SECT. 33 amended, 1935, 262 § 2.

SECT. 35 revised, 1934, 69; 1948, 199.

SECT. 36 revised, 1932, 79.

SECT. 38 revised, 1947, 234; sixth sentence amended, 1953, 238.

SECT. 39 revised, 1948, 371; 1949, 371; 1950, 114.

SECT. 39A added, 1948, 232 (excluding certain persons who have been knocked out from participating in boxing or sparring matches).

SECT. 39B added, 1954, 177 (requiring certain persons licensed to conduct boxing matches to provide insurance for contestants).

SECT. 40 amended, 1952, 203.

Chapter 148. — Fire Prevention.

SECT. 1, definition of "Head of the fire department" revised, 1945, 470; definition of "local licensing authority" amended, 1932, 102; revised, 1953, 230 § 1; three paragraphs added at end, defining "Board," "Building" and "Structure," 1945, 470. (See 1953, 230 § 2.)

SECT. 2 amended, 1948, 504.

SECT. 3 amended, 1945, 700 § 4.

SECT. 4 amended, 1945, 710 § 2.

SECT. 5, sentence in lines 16-17 amended, 1945, 463.

SECT. 9 amended, 1945, 710 § 3.

SECT. 10 revised, 1945, 710 § 4; third paragraph amended, 1948, 144 § 3.

SECT. 10A added, 1932, 75 (relative to the granting of certain permits and the making of certain inspections by municipal officers designated by the state fire marshal); revised, 1945, 479.

SECT. 10B added, 1954, 331 (establishing a penalty for the violation of any rule or regulation made by the board of fire prevention regulations).

SECT. 13, first paragraph amended, 1932, 22 § 1; section amended, 1935, 123 § 1; revised, 1936, 394 § 1; first paragraph amended, 1945, 415 § 1; revised, 1945, 710 § 5; 1948, 550 § 27; amended, 1951, 329; 1953, 200; second paragraph amended, 1945, 710 § 6; third paragraph amended, 1939, 333; 1945, 710 § 7; fourth paragraph amended, 1945, 710 § 8; last paragraph amended, 1938, 99. (See 1932, 22 § 2; 1936, 394 §§ 2, 3; 1945, 415 § 2; 710 § 19.)

SECT. 14 amended, 1938, 103.

SECT. 16 amended, 1941, 288.

SECT. 18 repealed, 1934, 182 § 2.

SECT. 19, sentence added at end, 1948, 550 § 28.

SECT. 20A added, 1946, 501 (relative to bonds to cover risk of damages from blasting operations conducted in several municipalities).

SECT. 21 amended, 1945, 710 § 9.

SECT. 22 amended, 1945, 710 § 10.

SECT. 23 amended, 1935, 123 § 2.

SECT. 23A added, 1948, 188 (prohibiting the use of inflammable anti-freeze solutions in fire hydrants).

SECT. 25 amended, 1945, 710 § 11.

SECT. 26 amended, 1945, 481.

SECT. 27A added, 1932, 283 (relative to the protection of life and property from fire hazards incident to the present industrial emergency).

SECT. 28, paragraph L amended, 1943, 546 § 4; section amended, 1945, 710 § 12; paragraph I revised, 1949, 512; paragraph L revised and paragraph N added, 1946, 363 § 9. (See 1943, 546 § 5.)

SECT. 29 amended, 1939, 205.

SECT. 30 amended, 1945, 710 § 13.

SECT. 31 amended, 1945, 460.

SECT. 38 amended, 1945, 710 § 14.

SECT. 38A added, 1938, 95 (prohibiting the removal of certain gasoline tanks without a permit).

SECT. 39 revised, 1943, 291 § 1.

SECT. 39A added, 1943, 291 § 2 (authorizing the making of rules and regulations for the granting of permits for supervised displays of fireworks); amended, 1945, 256; 710 § 15.

SECT. 40 amended, 1945, 710 § 16; sentence added at end, 1948, 550 § 29.

SECT. 42, sentence added at end, 1951, 184.

SECT. 46 amended, 1945, 710 § 17.

SECTS. 48 and 49 repealed, 1946, 282.

SECT. 49A added, 1934, 182 § 1 (relative to the inspection of kerosene or any product thereof kept for sale for illuminating, heating or cooking purposes); repealed, 1946, 282.

SECT. 50 amended, 1943, 291 § 3.

SECT. 52A added, 1950, 258 (prohibiting the sale of exploding matches).

SECT. 53 repealed, 1943, 291 § 4.

SECT. 54 revised, 1948, 370 § 2; amended, 1952, 254.

Chapter 149. — Labor and Industries.

For temporary legislation authorizing the commissioner of labor and industries to suspend certain laws, rules and regulations relative to the employment of women and minors when necessary to provide relief from conditions resulting from the present shortage of man power, see 1943, 382.

For temporary legislation authorizing the commissioner of labor and industries to suspend certain laws, rules and regulations relative to the employment of women and minors when an emergency exists or conditions of hardship require or justify suspension, see 1947, 357 § 4; 1949, 332; 1950, 168; 1951, 167; 1952, 119; 1953, 236; 1954, 10.

For legislation relative to interstate compacts affecting labor and industry, see 1933, Res. 44; 1934, 383, Res. 25; 1935, 315 §§ 1-3; 1936, Res. 68; 1937, 404; 1943, 255.

SECT. 1, paragraph defining "co-operative courses" amended, 1939, 461 § 4; paragraph defining "discrimination" inserted, 1937, 367 § 1; paragraphs defining "employee" and "employer" inserted, 1945, 584 § 1; definition of "employment" amended, 1945, 584 § 2; revised, 1945, 646; paragraph defining "employment permit", "permit for employment" or "employment certificate" inserted, 1939, 461 § 4A; revised, 1945, 133 § 3; paragraph defining "mercantile establishments" amended, 1936, 78.

SECT. 6 amended, 1934, 132 § 1; 1937, 249; two paragraphs added at end, 1952, 155; paragraph added at end, 1954, 680 § 7. (See 1934, 132 § 2.)

SECT. 8 amended, 1943, 441.

SECT. 11 amended, 1935, 328; revised, 1950, 453.

SECT. 17 amended, 1945, 430.

SECT. 19A added, 1953, 117 (requiring the furnishing of copies of certain medical reports to employees).

SECT. 20A added, 1933, 351 § 1 (relative to the judicial enforcement of certain contracts relative to membership in labor or employers' organizations). (See 1933, 351 § 2.)

SECTS. 20B and 20C added, 1935, 407 § 1 (regulating the liability of labor unions and others involved in labor disputes, and defining labor disputes and other terms used in connection therewith). (See 1935, 407 § 6.)

SECT. 20C. See 1937, 436 § 10; G. L. 150A § 6 (h) inserted by 1938, 345 § 2; first sentence amended, 1950, 452 § 1; subsection (c) stricken out and subsections (c)-(f) inserted, 1950, 452 § 2. (See 1950, 452 §§ 5-7.)

SECT. 22 amended, 1951, 166 § 1.

SECT. 23, first paragraph amended, 1951, 166 § 2; second paragraph amended, 1935, 114.

SECT. 23A added, 1934, 233 (regulating the employment of armed guards in connection with strikes, lockouts and other labor troubles).

SECT. 24 amended, 1933, 272; revised, 1950, 452 § 4. (See 1950, 452 §§ 5-7.)

SECTS. 24A-24J added, under the caption "DISCRIMINATION AGAINST CERTAIN PERSONS IN EMPLOYMENT ON ACCOUNT OF AGE", 1937, 367 § 2.

SECTS. 26 and 27 stricken out, and new sections 26-27D added, 1935, 461 (relative to preference and minimum wages of veterans and others in certain employments on certain public works).

SECT. 26 amended, 1947, 334; first sentence revised, 1954, 627 § 32; paragraph added at end, 1937, 346; same paragraph revised, 1938, 413; 1946, 591 § 46. (See 1954, 627 §§ 65, 67.)

SECT. 27E added, 1938, 67 (establishing residential requirements to be observed in the employment of certain persons by the department of public works).

SECT. 28 revised, 1948, 550 § 30.

SECT. 29 amended, 1935, 217 § 2; revised, 1935, 472 § 2; 1938, 361.

SECT. 29A added, 1949, 185 (relative to the enforcement of certain surety bonds by persons furnishing labor and materials on private building projects).

SECT. 30 revised, 1936, 367 § 1; 1947, 680 § 1.

SECT. 30A added, 1947, 677 § 1 (further regulating the work hours of certain persons employed by the commonwealth); amended, 1949, 780; 1950, 439; revised, 1952, 626. (See 1947, 677 §§ 2, 3.)

SECT. 32 revised, 1945, 680.

SECT. 33A added, 1947, 649 (authorizing a forty hour week for employees of certain cities and towns); revised, 1948, 657.

SECT. 33B added, 1950, 653 (further regulating the work hours of persons employed by cities and towns).

SECT. 34 amended, 1936, 367 § 2; revised, 1947, 680 § 2.

SECT. 34A added, 1938, 438 (requiring contractors on public buildings and other public works to provide and continue in force, during the full term of the contract, insurance under the Workmen's Compensation Law, so called).

SECT. 34B added, 1939, 252 (regulating the rate of compensation paid to reserve police officers by contractors on certain public works).

SECT. 34C added, 1947, 680 § 3 (concerning the applicability of certain provisions of law relative to hours of labor on public works).

SECT. 36 amended, 1942, 1 § 7. (See 1942, 1 § 9.)

SECT. 39 revised, 1935, 444 § 1; 1954, 632 § 1. (See 1935, 444 § 2.)

SECT. 40 revised, 1945, 426 § 1; repealed, 1954, 632 § 2. (See 1945, 426 § 2.)

SECTS. 44A-44D added, 1939, 480 (requiring fair competition for bidders on the construction, reconstruction, alteration, remodelling or repair of certain public works by the commonwealth or any political subdivision thereof).

SECT. 44A revised, 1941, 699 § 1; 1954, 645 § 1. (See 1954, 645 § 5.)

SECT. 44B revised, 1954, 645 § 2. (See 1954, 645 § 5.)

SECT. 44C, subsection (B) revised, 1941, 699 § 2; subsection (D) amended, 1941, 699 § 3; first paragraph of subsection (E) revised, 1941, 699 § 4; sentence added at end of subsection (E), 1941, 699 § 5; last paragraph of "Draft of Proposal Form" amended, 1941, 699 § 6; paragraph contained in lines 14-18 of the "Proposal Form (Sub-Bidder)" amended, 1941, 699 § 7; section revised, 1954, 645 § 3. (See 1954, 645 § 5.)

SECT. 44E added, 1954, 645 § 4 (relative to powers of the department with relation to contracts for public building projects).

SECT. 48 revised, 1935, 185, 423 § 3; amended, 1938, 320; revised, 1939, 235 § 1.

SECT. 49 amended, 1937, 221; revised, 1938, 295.

SECT. 50 revised, 1933, 225; amended, 1935, 423 § 1.

SECT. 50A added, 1935, 423 § 2 (making one day's rest in seven law applicable to watchmen and employees maintaining fires in certain establishments).

SECT. 51 revised, 1939, 235 § 2.

SECT. 51A added, 1954, 93 (authorizing exemptions from the law requiring one day's rest in seven).

SECT. 55 revised, 1945, 87.

SECT. 56 amended, 1932, 110 § 1; revised, 1935, 200; first sentence stricken out and two sentences inserted, 1939, 377; section amended, 1941, 574, 610 § 1; first sentence amended, 1947, 161; revised, 1947, 368; amended, 1948, 196; paragraph added at end, 1946, 241 § 1. (See 1941, 610 §§ 2, 3.)

SECT. 57 amended, 1932, 110 § 2.

SECT. 59 amended, 1933, 193 § 1; 1936, 170 § 1; revised, 1947, 357 § 1. (For prior temporary legislation authorizing the commissioner of labor and industries to suspend certain provisions relative to the hours of employment of women in the textile and leather industries, see 1933, 347; time for suspension as to the textile industry extended, 1935, 429; 1936, 154; 1937, 153; 1938, 68; 1939, 96; 1941, 154; 1943, 306; 1945, 14; 1946, 96. For prior temporary legislation suspending certain provisions relative to the hours of employment of women and children in the textile industry and to their meal periods, 1946, 127, 560.)

SECT. 60 revised, 1935, 203; paragraph added at end, 1939, 193 § 1; section revised, 1939, 273, 461 § 5; 1947, 109 § 1. (See 1939, 461 § 13.)

SECT. 61, clause (1) revised, 1946, 241 § 2; section amended, 1954, 98; last sentence stricken out, 1954, 240 § 1.

SECT. 62, clause (13) amended, 1934, 328 § 19; section amended, 1945, 337; clause (15) added, 1946, 171; amended, 1954, 240 § 2.

SECT. 65 amended, 1939, 352; revised, 1939, 461 § 6.

SECT. 66 amended, 1933, 193 § 2; 1936, 170 § 2; 1939, 255; 1946, 48; affected, 1946, 127, 560; section revised, 1947, 357 § 2.

SECT. 67 revised, 1939, 348.

SECTS. 69-73. See 1934, 114.

SECT. 69 amended, 1939, 461 § 7.

SECT. 70, sentence added at end, 1939, 94; section revised, 1945, 133 § 4.

SECT. 71 amended, 1945, 133 § 5.

SECT. 73 revised, 1939, 461 § 8.

SECT. 78 amended, 1934, 292 § 1; 1954, 240 § 3.

SECT. 79 amended, 1954, 291.

SECT. 84 amended, 1932, 180 § 29.

SECT. 86 revised, 1939, 461 § 9; first paragraph revised, 1947, 109 § 2.

SECT. 87 revised, 1939, 461 § 10; paragraph inserted after subsection (4) (e), 1952, 63.

SECT. 88 amended, 1945, 133 § 6.

SECT. 89 revised, 1945, 133 § 7.

SECT. 90 revised, 1945, 133 § 8.

SECT. 94 revised, 1939, 461 § 11.

SECT. 95, first paragraph amended, 1945, 133 § 9.

SECT. 100 amended, 1939, 280; affected, 1946, 127, 560; section revised, 1947, 357 § 3.

SECT. 101 revised, 1938, 335.

SECT. 104 amended, 1932, 27; 1939, 193 § 2; revised, 1954, 110.

SECTS. 105A-105C added, 1945, 584 § 3 (penalizing discriminatory wage rates based on sex).

SECT. 105A revised, 1947, 565; 1951, 180.

SECT. 113 revised, 1934, 255.

SECT. 117 revised, 1935, 208.

SECT. 126 revised, 1945, 528; first sentence revised, 1954, 349.

SECT. 127 revised, 1951, 38.

SECT. 129A added, 1949, 305 (requiring the shoring of certain excavations).

SECT. 130 revised, 1954, 59.

SECT. 135 amended, 1933, 64.

SECT. 140 repealed, 1953, 57.

SECT. 141A added, 1949, 255 (limiting the weight to be lifted by hand by certain employees in textile factories).

SECTS. 142A-142F added, under caption "BENZOL AND MIXTURES CONTAINING BENZOL", 1933, 304 (regulating the sale, distribution, storage and use of benzol and its compounds).

SECT. 142A amended, 1935, 463 § 1; revised, 1949, 591 § 1.

SECT. 142B revised, 1935, 463 § 2; 1949, 591 § 2.

SECT. 142D amended, 1949, 591 § 3.

SECT. 142E revised, 1949, 591 § 4.

SECT. 142F amended, 1949, 591 § 5.

SECTS. 143-147A, and the heading above section 143, stricken out, and new sections 143-147H inserted, under the heading "INDUSTRIAL HOMEWORK", 1937, 429.

SECT. 143 revised, 1945, 600 § 1.

SECT. 144 amended, 1945, 600 § 2.

SECT. 147 amended, 1941, 539; first paragraph amended, 1945, 600 § 3; second paragraph amended, 1953, 247.

SECT. 147A added, 1932, 234 (requiring the furnishing of certain information to the department of labor and industries with respect to the performance of certain industrial work in tenements and dwelling houses); section stricken out and new section inserted, 1937, 429; amended, 1939, 461 § 12.

SECT. 147B amended, 1945, 600 § 4.

SECT. 147C amended, 1945, 600 § 5.

SECT. 147D amended, 1945, 600 § 6.

SECT. 147G amended, 1945, 600 § 7.

SECT. 148, last sentence amended, 1932, 101 § 1; section revised, 1935, 350; 1936, 160; paragraph inserted after first paragraph, 1943, 467; paragraph inserted after third paragraph, 1943, 378; same paragraph amended, 1943, 563; revised, 1946, 414; last paragraph amended, 1951, 28.

SECT. 150, sentence added at end, 1932, 101 § 2.

SECT. 150A added, 1938, 403 (requiring employers to furnish certain information to employees relative to deductions from wages for social security and unemployment compensation benefits).

SECT. 150B added, 1943, 385 (prohibiting labor unions from requiring payment of certain fees as a condition of securing or continuing employment).

SECT. 152A added, 1952, 490 (prohibiting the payment by an employee to an employer of tips or gratuities received during the course of employment).

SECT. 156 amended, 1935, 363 § 1; 1941, 164. (See 1935, 363 § 2.)

SECT. 157A added, 1933, 268 (insuring to piece or job workers in factories and workshops information relative to their compensation).

SECT. 159A added, 1937, 342 § 1 (to prevent the misleading of patrons of certain places as to the beneficiaries of tips given to hat-check and cigarette girls and the like).

SECT. 159B added, 1949, 241 (requiring payment by employers for medical examinations of present or prospective employees in certain cases).

SECT. 170 amended, 1945, 580 § 8. (See 1945, 580 § 9.)

SECT. 171 revised, 1948, 487.

SECT. 178A added, 1932, 175 (authorizing the payment of small amounts of wages or salary of intestate employees to certain next of kin without administration); sentence added at end, 1953, 436 § 4; section revised, 1954, 562 § 4.

SECT. 178B added, 1947, 189 § 1 (to authorize deductions from wages of employees of districts and municipalities for making certain payments to credit unions of such employees). [For prior legislation, see G. L. chapter 171 § 6A (1946, 184) repealed by 1947, 189 § 2.]

SECT. 178C added, 1953, 436 § 5 (relative to the payment of salaries, wages or other sums owing by the commonwealth or certain political subdivisions thereof upon the death of their officers or employees); revised, 1954, 562 § 5. (See 1953, 436 § 7.)

SECT. 179B added, 1941, 642 (requiring the giving of notice to the Commissioner of Labor and Industries of the commencement or a change of location of operations by industries in this commonwealth).

Chapter 150. — Conciliation and Arbitration of Industrial Disputes.

SECT. 3 amended, 1938, 364 § 1; 1939, 111.

SECT. 5 revised, 1938, 364 § 2.

SECT. 7, fifth sentence amended, 1946, 590 § 1.

SECT. 9, last sentence amended, 1946, 590 § 2.

SECT. 11 added, 1949, 548 (providing that certain agreements for the arbitration and conciliation of labor disputes shall be valid).

Chapter 150A. — Labor Relations.

New chapter inserted, 1938, 345 § 2 (incorporating the provisions of 1937, 436, relative to labor relations as an addition to the General Laws). (See 1938, 345 §§ 3, 4.)

SECT. 2, subsection (9) added, 1951, 615 § 1.

SECT. 3 revised, 1951, 615 § 2.

SECT. 4, subsection (3) revised, 1947, 657 § 1; subsection (6) added, 1947, 657 § 2.

SECT. 4A revised, 1947, 657 § 3.

SECT. 4B added, 1947, 657 § 3 (making it an unfair labor practice for a labor organization to refuse to bargain collectively in certain cases).

SECT. 5, subsection (a) revised, 1951, 615 § 3; subsection (b) amended, 1939, 318; revised, 1951, 615 § 4; subsection (c) amended, 1947, 657 § 4.

SECT. 6, subsection (a) amended, 1947, 657 § 5; subsection (e) amended, 1954, 681 § 10; subsection (f) amended, 1954, 681 § 11; subsection (h) amended, 1941, 261.

SECTS. 6A-6C added, 1947, 657 § 6 (relative to membership in labor organizations where such membership is required as a condition of employment).

SECT. 7, first paragraph amended, 1947, 657 § 7.

SECT. 9 amended, 1947, 657 § 8.

SECT. 10, subsection (b) revised, 1945, 354; 1947, 657 § 9.

Chapter 150B. — Peaceful Settlement of Industrial Disputes Dangerous to Public Health and Safety.

New chapter inserted, 1947, 596.

SECTS. 3 and 4 revised, 1954, 557 § 1.

SECT. 8 added, 1954, 557 § 2 (relative to compensation for persons appointed as moderators, commissioners or board members in matters relating to peaceful settlement of industrial disputes).

Chapter 151. — Minimum Fair Wages (former title, Minimum Fair Wages for Women and Minors).

Chapter stricken out, and new chapter 151 inserted, 1934, 308 § 1. (See 1934, 308 §§ 2, 3; 1935, 267. See also 1933, Res. 44; 1934, 383, Res. 25.)

Chapter stricken out, and new chapter 151 (with new title) inserted, 1937, 401 § 1. (See 1937, 401 §§ 2, 3.)

Chapter stricken out, and new chapter 151 (with new title) inserted, 1947, 432 § 1 (incorporating as part of the General Laws, 1946, 545 which extended the minimum wage law, so called, to adult male persons). (See 1947, 432 § 2).

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 151, as so inserted:

SECT. 1, second sentence amended, 1952, 558 § 1; sentence added at end, 1949, 777 § 1. (See 1949, 777 §§ 2, 4.)

SECT. 2, definition of "A directory order" stricken out, 1952, 558 § 2; definition of "Occupation" revised, 1948, 362; amended, 1952, 558 § 3; revised, 1954, 174.

SECT. 7, paragraph added at end, 1952, 558 § 4; revised, 1953, 515. (See 1952, 558 § 5.)

SECT. 8, last sentence revised, 1952, 558 § 6.

SECT. 10, first sentence revised, 1952, 558 § 7.

SECT. 11, first sentence amended, 1952, 558 § 8.

SECT. 12 revised, 1952, 558 § 9.

SECT. 13 amended, 1952, 558 § 10.

SECT. 15 amended, 1950, 349 § 1.

SECT. 16 amended, 1952, 558 § 11.

SECT. 19, paragraph (2) revised, 1949, 777 § 3; 1952, 558 § 12. (See 1949, 777 §§ 2, 4.)

SECT. 20A added, 1950, 349 § 2 (establishing a time during which certain actions may be brought under the minimum wage law).

Chapter 151A. — Employment Security (former title, Unemployment Compensation).

For legislation providing for the payment of unemployment compensation benefits to persons upon termination of service in the military or naval forces of the United States during the present national emergency, see 1941, 701; 1943, 319; 1946, 168.

New chapter inserted, 1935, 479 § 5. (See 1935, 479 §§ 6, 7; 1936, 12 § 3, 249 § 16.)

Chapter stricken out, and new chapter 151A (with same title) inserted, 1937, 421 § 1. (See 1937, 421 §§ 2-4.)

Chapter stricken out, and new chapter 151A (with new title) inserted, 1941, 685 § 1. (See 1941, 685 §§ 7-11; 1941, 686.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 151A as so inserted:

SECT. 1, subsections (a), (c) and (r) (1) revised, 1951, 763 § 1; subsection (a) revised, 1953, 560 § 1; subsection (r) (2), sentence added at end, 1949, 476; subsection (r) (2) revised, 1951, 763 § 1; subsection (r) (3) added, 1953, 635 § 1; subsection (s) (1) stricken out, 1948, 603 § 1; subsection (s) revised, 1951, 763 § 1; amended, 1954, 279 § 1; subsection (u) added, 1949, 639 § 2, defining "American vessel"; subsection (v), defining "Remuneration", and subsection (w), defining "Average weekly wage", added, 1951, 763 § 2; subsection (v) repealed, 1953, 635 § 2. (See 1949, 639 § 3; 1951, 763 § 22; 1953, 560 § 3; 1954, 279 § 2.)

SECT. 6, subsection (c) revised, 1949, 639 § 1; subsection (d) revised, 1951, 763 § 3; 1954, 280 § 1; subsection (f) amended, 1954, 431 § 1; subsection (h) revised, 1951, 763 § 3; subsection (j) revised, 1951, 763 § 3; subsection (n) revised, 1951, 763 § 3; subsection (q) amended, 1947, 433. (See 1949, 639 § 3; 1951, 763 § 22; 1954, 280 § 2.)

SECT. 8, subsection (a) amended, 1950, 535; subsections (g) and (h) added at end, 1943, 534 § 2.

SECT. 11 revised, 1941, 685 § 2; 1951, 763 § 4. (See 1951, 763 § 22.)

SECT. 14, first paragraph revised, 1948, 603 § 2; subsection (a) amended, 1948, 603 § 3; subsection (b) (2) revised, 1943, 534 § 1; amended, 1945, 484 § 2; 1946, 170 § 2; 1948, 537 § 1; subsection (b) (4), sentence added at end, 1947, 602 § 1; subsection (b) revised, 1949, 740 § 1; subsection (c) added, 1943, 534 § 1A; designations of subsections (c) and (d) changed to (d) and (e), respectively, 1943, 534 § 1B; subsection (c) revised, 1945, 516; paragraph in lines 48-72 revised, 1946, 360; subsection (c) revised, 1947, 440 § 1; 1949, 740 § 2; subsection (e) amended, 1948, 537 § 2; section revised, 1951, 763 § 5; 1953, 397; subsection (o) added, 1954, 431 § 2. (See 1947, 440 § 2; 602 § 2; 1948, 537 § 3; 1949, 740 § 3; 1951, 763 § 22.)

SECT. 15, subsection (a) amended, 1950, 232; subsection (b) revised, 1948, 603 § 6; subsection (c) revised, 1943, 373.

SECT. 22, sentence added at end, 1945, 625 § 2.

SECT. 23, subsection (a) revised, 1941, 685 § 3; 1951, 763 § 6; subsections (b) and (c) revised, 1951, 763 § 6; subsection (e) stricken out, 1943, 534 § 3; subsection (f) added, 1951, 763 § 7. (See 1951, 763 § 22.)

SECT. 24 revised, 1951, 763 § 8. (See 1951, 763 § 22.)

SECT. 25, subsection (a) amended, 1948, 421; revised, 1951, 763 § 9; subsection (b) amended, 1953, 464; subsection (d) amended, 1945, 356; revised, 1951, 763 § 9; subsection (e) revised, 1951, 763 § 9; 1953, 401; subsection (f) added, 1951, 763 § 10. (See 1951, 763 § 22.)

SECT. 27 amended, 1945, 625 § 3; revised, 1948, 630; 1951, 763 § 11. (See 1951, 763 § 22.)

SECT. 28, paragraph added at end, 1954, 431 § 3.

SECT. 29, subsection (a) revised, 1943, 534 § 5; 1945, 484 § 1; 1946, 170 § 1; subsection (b) revised, 1951, 763 § 12; 1954, 673; subsection (c) added, 1946, 611; revised, 1949, 501; 1951, 763 § 12; 1954, 635. (See 1951, 763 § 22.)

SECT. 29A added, 1949, 421 (providing that benefits under this chapter shall not be reduced by reason of the receipt of holiday pay, so called).

SECT. 30 amended, 1945, 484 § 3; revised, 1949, 559; 1953, 410 § 1. (See 1953, 410 § 2.)

SECT. 31 revised, 1951, 763 § 13. (See 1951, 763 § 22.)

SECT. 32 repealed, 1951, 763 § 14. (See 1951, 763 § 22.)

SECT. 33 repealed, 1943, 534 § 4.

SECT. 34 repealed, 1951, 763 § 14. (See 1951, 763 § 22.)

SECT. 38 revised, 1951, 763 § 15; subsection (a), paragraph added at end, 1953, 560 § 2. (See 1951, 763 § 22; 1953, 560 § 3.)

SECT. 39 revised, 1949, 659; 1951, 763 § 16. (See 1951, 763 § 22.)

SECT. 40 revised, 1951, 763 § 17. (See 1951, 763 § 22.)

SECT. 42 revised, 1943, 534 § 6; fifth sentence stricken out and three sentences inserted, 1951, 763 § 18; eighth sentence revised, 1954, 681 § 12; next to last sentence stricken out and six sentences inserted, 1947, 434. (See 1951, 763 § 22; 1954, 681 §§ 20, 22.)

SECT. 44, subsection (b) revised, 1948, 603 § 4.

SECT. 45A added, 1954, 655 (requiring an employer to furnish an employee with a wage report).

SECT. 46, second sentence amended, 1954, 512; subsection (a) added, 1948, 603 § 5.

SECT. 47 revised, 1951, 763 § 19. (See 1951, 763 § 22.)

SECT. 62 amended, 1952, 394.

SECT. 66A added, 1949, 646 (authorizing the director of employment security to enter into reciprocal agreements with foreign countries relative to the administration of the employment security law).

SECT. 69, paragraph added at end, 1949, 555; section revised, 1951, 763 § 20. (See 1951, 763 § 22.)

SECT. 71 revised, 1951, 763 § 21. (See 1951, 763 § 22.)

SECT. 74 revised, 1949, 290.

Chapter 151B. — Unlawful Discrimination against Race, Color, Religious Creed, National Origin or Ancestry.

New chapter inserted, 1946, 368 § 4.

SECT. 1, subsection 5 amended, 1950, 697 § 1; subsection 8 added, 1950, 697 § 2.

SECT. 3, subsection 6 amended, 1950, 697 § 3; subsection 8 amended, 1950, 697 § 4; subsection 9 amended, 1950, 697 § 5.

SECT. 4, subsection 1 amended, 1950, 697 § 6; subsection 2 amended, 1950, 697 § 7; subsection 3 amended, 1950, 697 § 8; paragraph added at end, 1947, 424.

SECT. 5 revised, 1950, 479 § 4.

SECT. 6, seventh sentence revised, 1954, 681 § 13. (See 1954, 681 §§ 20, 22.)

SECT. 9 amended, 1950, 697 § 9.

Chapter 151C. — Fair Educational Practices.

New chapter inserted, 1949, 726 § 2.

SECT. 4, paragraph (c) revised, 1954, 681 § 14. (See 1954, 681 §§ 20, 22.)

Chapter 152. — Workmen's Compensation.

For legislation requiring manufacturers to insure under the workmen's compensation act where employees work on machinery, see 1936, 426; repealed, 1948, 156.

SECT. 1, two sentences added at end of paragraph (1), 1935, 332 § 1; paragraph (1) revised, 1943, 529 § 1; paragraph (2) revised, 1953, 314 § 2; paragraph (3) amended, 1950, 738 § 1; paragraph (4) revised, 1935, 406; 1943, 529 § 3; 1945, 369; first paragraph of paragraph (4) amended, 1947, 215; paragraph inserted, 1951, 109 § 1; amended, 1953, 139; third paragraph of paragraph (4) revised, 1953, 656 § 1; paragraph (5) revised, 1943, 529 § 1A; 1954, 265; paragraph (6) amended, 1943, 529 § 2; paragraph (7) revised, 1950, 277 § 2; paragraph (7A) added, 1941, 347; paragraph (7B) added, 1947, 488 § 9; same paragraph repealed, 1950, 277 § 1; paragraph (8) revised, 1953, 314 § 3. (See 1943, 529 § 14; 1951, 109 § 2.)

SECT. 2 amended, 1953, 314 § 4.

SECT. 2A added, 1946, 386 § 3 (limiting the application of certain acts in amendment of G. L. 152 increasing the amounts of compensation payable thereunder).

SECT. 4 revised, 1939, 83; 1953, 314 § 5.

SECT. 5, paragraph added at end, 1943, 359; section amended, 1953, 314 § 6.

SECT. 6 amended, 1945, 347; 1953, 314 § 6.

SECT. 7 amended, 1953, 314 § 6.

SECT. 7A added, 1947, 380 (relative to procedure in certain claims under the workmen's compensation law where employees are unable to testify).

SECT. 7B added, 1947, 455 (regulating the admissibility of certain evidence in workmen's compensation cases).

SECT. 8 amended, 1953, 314 § 6.

SECT. 8A amended, 1953, 314 § 6.

SECT. 9 revised, 1949, 442; amended, 1953, 314 § 6.

SECT. 9A revised, 1938, 381; amended, 1953, 314 § 6.

SECT. 9B added, 1935, 424 (providing for the reference of certain cases under the workmen's compensation law to industrial disease referees); revised, 1938, 462; repealed, 1947, 286.

SECT. 10 revised, 1947, 546.

SECT. 11 amended, 1932, 129 § 1; paragraph added at end, 1935, 484; 1939, 213 § 1; 1949, 61; 1950, 634 § 1; 1953, 288; section amended, 1953, 314 § 6. (See 1939, 213 § 2.)

SECT. 11A added, 1945, 444 (relieving employees and their dependents of the expenses of certain appeals in workmen's compensation cases); sentence added at end, 1949, 372.

SECT. 12, last paragraph amended, 1932, 117 § 1; section amended, 1953, 314 § 6. (See 1932, 117 § 2; 1935, 351.)

SECT. 13, sentence added at end, 1933, 68; section amended, 1953, 314 § 6.

SECT. 14 amended, 1953, 314 § 6.

SECT. 15 revised, 1939, 401; 1943, 432.

SECT. 15A amended, 1934, 252.

SECTS. 16 and 17 amended, 1953, 314 § 6.

SECT. 18, sentence added at end, 1938, 102; section amended, 1939, 93.

SECT. 19, paragraph in lines 17 and 18 revised, 1935, 339; same paragraph revised, 1939, 245; paragraph added at end, 1941, 379 § 11; section amended, 1953, 314 § 6.

SECT. 19A added, 1935, 359 (requiring certain notices from employers not insured under the workmen's compensation law); repealed, 1948, 158.

SECT. 19B added, 1941, 410 (requiring the posting of notices by certain employers not covering their employees by workmen's compensation insurance); repealed, 1948, 157.

SECT. 20 revised, 1935, 340; amended, 1945, 464; last two sentences revised, 1946, 390; section revised, 1949, 276; amended, 1953, 314 § 6.

SECT. 20A added, 1945, 468 (requiring employers and certain insurers who maintain clinics, etc., for the treatment of injured employees, to furnish such employees with copies of all medical examinations); revised, 1954, 194.

SECT. 21 amended, 1943, 529 § 4. (See 1943, 529 § 14.)

SECT. 22 amended, 1943, 529 § 13; 1953, 314 § 6. (See 1943, 529 § 14.)

SECT. 23 revised, 1943, 529 § 5; amended, 1953, 314 § 6. (See 1943, 529 § 14.)

SECT. 24 amended, 1943, 529 § 6. (See 1943, 529 § 14.)

SECTS. 25A-25D added, 1943, 529 § 7, under caption "Compulsory Compensation and Self-Insurance." (See 1943, 529 § 14.)

SECT. 25A, paragraph (2) amended, 1949, 441 § 1; paragraph (2) (a) amended, 1945, 316; sixth sentence revised, 1946, 472 § 1; paragraph (2) (a) revised, 1949, 441 § 2; paragraph (2) (b), first sentence revised, 1945, 518; 1946, 472 § 2; paragraph (2) (b) revised, 1949, 441 § 3; paragraph (2) (c) revised, 1945, 344; 1948, 176; 1949, 441 § 4; amended, 1950, 351.

SECT. 25C, two sentences added at end, 1951, 689; next to last sentence revised, 1953, 330.

SECT. 26 amended, 1937, 370 § 1; revised, 1943, 302; 529 § 8; paragraph added at end, 1945, 623 § 1. (See 1943, 529 § 14.)

SECT. 26A added, 1937, 370 § 2 (providing for payment of workmen's compensation in certain cases of suicide).

SECT. 27 revised, 1935, 331.

SECT. 28 amended, 1934, 292 § 2; revised, 1943, 529 § 9. (See 1943, 529 § 14.)

SECT. 29 revised, 1935, 372; 1937, 382; amended, 1949, 471; 1951, 135; 1953, 314 § 6.

SECT. 30 revised, 1936, 164; 1943, 181; 1946, 233 § 1; sentence added at end, 1948, 159; section amended, 1953, 314 § 6. (See 1946, 233 § 2.)

SECTS. 30A-30C added, 1950, 767 § 2 (prescribing duties of the rehabilitation commission in the department of industrial accidents).

SECT. 30A amended, 1952, 630 § 11.

SECT. 30B amended, 1953, 314 § 6.

SECT. 31, first paragraph amended, 1934, 250; 1950, 738 § 2; paragraph contained in the sixth to the forty-fourth lines revised, 1937, 325; same paragraph amended, 1943, 368; revised, 1945, 572; 1948, 666; 1950, 357; last paragraph revised, 1943, 400; amended, 1950, 738 § 3; revised, 1951, 98.

SECT. 32, paragraph (c) amended, 1950, 282 § 2; paragraph (d) revised, 1947, 450; amended, 1949, 281; 1950, 282 § 3; new paragraph added, 1935, 361 (relative to payments under the workmen's compensation law to dependents of deceased minor employees); amended, 1950, 738 § 4.

SECT. 33 revised, 1939, 81; 1941, 495; amended, 1948, 155; 1949, 258.

SECT. 34 revised, 1935, 332 § 2; 1941, 624; 1945, 717; 1946, 321 § 1; amended, 1947, 665; 1949, 520 § 1. (See 1946, 321 § 4.)

SECT. 34A added, 1935, 364 (providing for payments for total and permanent disability under the workmen's compensation law, and establishing methods of determining the same); amended, 1943, 276; revised, 1945, 717; first paragraph revised, 1946, 321 § 2; amended, 1949, 520 § 2. (See 1946, 321 § 4.)

SECT. 35 amended, 1943, 299; revised, 1945, 717; 1946, 321 § 3; amended, 1949, 520 § 3. (See 1946, 321 § 4.)

SECT. 35A added, 1945, 717 (providing for an increase in certain weekly benefits under the workmen's compensation law in certain cases); revised, 1946, 553; paragraph (c) revised, 1950, 282 § 1; section amended, 1953, 314 § 6.

SECT. 36, paragraph (j) revised, 1933, 257; section revised, 1935, 333; paragraph (b) amended, 1947, 664 § 1; paragraph (d) amended, 1947, 634 § 1; paragraph (e) amended, 1947, 634 § 2; paragraph (f) amended, 1946, 386 § 1; paragraph added at end of section, 1947, 634 § 3. (See 1946, 386 § 2; 1947, 664 § 2.)

SECT. 36 stricken out and sections 36 and 36A inserted, 1949, 519 (increasing the benefits payable under the workmen's compensation law for certain injuries).

SECT. 36, paragraphs (h) and (i) revised, 1952, 60; paragraph (q) revised, 1952, 84; paragraph added at end, 1953, 64.

SECT. 36A revised, 1950, 445; 1951, 494.

SECT. 37 amended, 1937, 321; revised, 1950, 527.

SECT. 37A added, 1945, 623 § 2 (relative to payments to disabled war veterans subsequently injured in industry).

SECT. 39 amended, 1937, 317.

SECT. 45, paragraph added at end, 1951, 662.

SECT. 46 amended, 1941, 378; 1945, 623 § 2A; 1953, 314 § 6.

SECTS. 48 and 49 amended, 1953, 314 § 6.

SECT. 50 revised, 1953, 670.

SECT. 52 revised, 1947, 619 § 1. (See 1947, 619 § 3.)

SECT. 52A added, 1939, 465 § 2 (relative to insuring against silicosis and other occupational pulmonary dust diseases). (See 1939, 465 § 4.)

SECT. 52B added, 1945, 581 (relative to the payment of premiums for workmen's compensation insurance in certain cases).

SECTS. 52C-52G added, 1947, 619 § 2 (relative to rates for workmen's compensation insurance). (See 1947, 619 § 3.)

SECT. 52F, paragraph (c) amended, 1954, 681 § 15. (See 1954, 681 §§ 20, 22.)

SECT. 54A added, 1935, 425 (relative to safeguarding and extending the workmen's compensation law by making void certain contracts or agreements in the nature of insurance which do not insure the payment of the compensation provided for by said law).

SECT. 55, second paragraph revised, 1934, 137 § 1.

SECT. 59 amended, 1953, 314 § 6.

SECTS. 62 and 63 amended, 1953, 314 § 6.

SECT. 65 amended, 1935, 395; 1936, 162; 1937, 394; revised, 1939, 465 § 3; amended, 1943, 367; second sentence amended, 1950, 634 § 2. (See 1939, 465 § 4.)

SECTS. 65A-65M added, 1939, 489 (providing for the equitable distribution of rejected risks among insurers of workmen's compensation, and the pooling of losses in connection with such risks).

SECTS. 65A and 65B amended, 1953, 314 § 6.

SECT. 65M amended, 1953, 314 § 6.

SECT. 65N added, 1945, 623 § 3 (establishing a special fund to encourage the employment in industry of disabled war veterans); amended, 1949, 689.

SECT. 66 revised, 1943, 529 § 9A. (See 1943, 529 § 14.)

SECT. 67 revised, 1943, 529 § 10; first sentence revised, 1953, 656 § 2. (See 1943, 529 § 14.)

SECT. 68 revised, 1943, 529 § 11; amended, 1947, 506 § 4; revised, 1949, 427 § 8. (See 1943, 529 § 14; 1949, 427 § 11.)

SECT. 69 revised, 1933, 318 § 7; 1936, 260; amended, 1936, 403; revised, 1939, 435; last sentence revised, 1939, 468; section amended, 1941, 614; 1945, 729; 1946, 422; second sentence revised, 1947, 590; paragraph added at end, 1951, 610 § 2.

SECT. 69A added, 1933, 315 (regulating workmen's compensation payments by the commonwealth); amended, 1953, 314 § 6.

SECT. 69B added, 1936, 427 (further regulating workmen's compensation payments by the commonwealth).

SECT. 70 amended, 1953, 314 § 6.

SECT. 73, first sentence amended, 1936, 318 § 4; 1937, 336 § 23; 1941, 379 § 12; first two sentences revised, 1950, 209.

SECT. 73A added, 1941, 649 (to provide for the employment of partially disabled public employees and temporary filling of their original positions).

SECT. 74 amended, 1939, 451 § 57; 1941, 344 § 26; sentence added at end, 1953, 501.

SECT. 75 revised, 1932, 19; amended, 1951, 610 § 1; 1954, 680 § 8.

SECTS. 76-85 added, 1939, 465 § 1 (providing workmen's compensation benefits for employees in the granite industry contracting silicosis and other occupational pulmonary dust diseases). (See 1939, 465 § 4; 1950, 220.)

SECT. 76 revised, 1943, 529 § 12. (See 1943, 529 § 14; 1950, 220.)

SECT. 77 amended, 1948, 217. (See 1950, 220.)

SECTS. 76-85 stricken out and section 76 inserted, 1950, 220.

Chapter 153. — Liability of Employers to Employees for Injuries not resulting in Death.

SECT. 6 amended, 1935, 387; first sentence revised, 1947, 506 § 5; 1949, 427 § 9. (See 1949, 427 § 11.)

Chapter 154. — Assignment of Wages.

SECT. 2 revised, 1948, 550 § 31.

SECT. 8 added, 1933, 96 (exempting orders for payment of labor or trade union or craft dues or obligations from the operation of the laws regulating assignments of wages); amended, 1939, 125; 1948, 117; revised, 1950, 204; 1951, 239.

Chapter 155. — General Provisions relative to Corporations.

SECT. 1 revised, 1935, 297 § 1. (See 1935, 297 § 3.)

SECT. 6, sentence added at end, 1949, 105.

SECT. 9 amended, 1938, 327 § 1; revised, 1943, 295; first sentence revised, 1953, 32. (See 1938, 327 § 2.)

SECT. 10 amended, 1933, 11; third sentence revised, 1943, 549 § 4.

SECT. 12A added, 1938, 164 § 1 (making permanent certain provisions of law authorizing domestic corporations to contribute to certain funds for the benefit of social and economic conditions); amended, 1946, 278. (See 1938, 164 § 2.)

SECT. 12B added, 1947, 488 § 5 (empowering corporations to participate as subscribers in the exchanging of reciprocal or inter-insurance contracts).

SECT. 12C added, 1953, 415 (authorizing corporations to make contributions for charitable, scientific or educational purposes).

SECT. 13, sentence added at end, 1949, 695.

SECT. 15 revised, 1939, 14.

SECT. 22, paragraph added at end, 1953, 185; same paragraph revised, 1954, 50.

SECT. 23A added, 1935, 297 § 2 (regulating sales of stocks, bonds and other securities of corporations to their employees); repealed, 1938, 445 § 13. (See 1935, 297 § 3; G. L. chapter 110A § 11A, inserted by 1938, 445 § 9.)

SECT. 50 amended, 1933, 66.

SECT. 50A added, 1939, 456 § 1 (relative to the dissolution of domestic corporations); amended, 1943, 383.

SECT. 56, first sentence revised, 1939, 456 § 2; 1953, 31.

Chapter 156. — Business Corporations.

SECT. 5 amended, 1939, 301 § 1.

SECT. 6, clause (e) amended, 1939, 15 § 1.

SECT. 12, form of certificate revised, 1932, 67.

SECT. 30 amended, 1937, 52.

SECT. 36 revised, 1941, 514 § 1.

SECT. 41 revised, 1932, 136.

SECT. 41B added, 1951, 498 (authorizing changes of shares of par value stock into a greater number or the exchange thereof for a greater number).

SECT. 41C added, 1951, 565 § 1 (authorizing changes of stock without par value to shares with par value).

SECT. 42 amended, 1943, 38 § 1.

SECT. 44 amended, 1951, 565 § 2.

SECT. 45 amended, 1951, 565 § 3.

SECT. 46, sentence added at end, 1943, 38 § 2.

SECTS. 46A-46E added, under the heading "MERGER AND CONSOLIDATION", 1941, 514 § 2.

SECT. 46A revised, 1948, 524.

SECT. 46B, paragraph contained in lines 102-108 revised, 1943, 405 § 1; 1947, 543 § 1.

SECT. 46D, subsection 2 of paragraph (b) amended, 1954, 57; paragraph contained in lines 64-73 revised, 1943, 405 § 2; 1947, 543 § 2.

SECT. 49 revised, 1941, 276; first sentence revised, 1948, 118.

SECT. 54 amended, 1932, 180 § 30; paragraph added at end, 1951, 565 § 4.

SECT. 55 amended, 1952, 314.

Chapter 157. — Co-operative Corporations.

SECT. 3, second sentence revised, 1949, 378 § 1.

SECT. 3A added, 1949, 378 § 2 (authorizing the forming of corporations to conduct a housing business on the co-operative plan).

SECT. 4 revised, 1949, 378 § 3.

SECT. 6 amended, 1949, 378 § 4; paragraph 4 revised, 1949, 378 § 5.

SECT. 9 amended, 1949, 378 § 6.

SECT. 13 amended, 1954, 23.

SECT. 16, last sentence amended, 1932, 180 § 31.

Chapter 158. — Certain Miscellaneous Corporations.

SECT. 43, last paragraph amended, 1953, 282.

Chapter 159. — Common Carriers.

SECT. 12, paragraph (a) revised, 1945, 175.

SECT. 14A added, 1941, 713 (authorizing the department of public utilities to regulate rates for the transportation of persons or property within the commonwealth by common carriers by aircraft).

SECT. 15, paragraph added at end, 1937, 247; same paragraph stricken out, 1938, 155 § 2; section amended, 1951, 681, 726.

SECT. 16A added, 1938, 243 (relative to the discontinuance of service by railroads).

SECT. 20 amended, 1939, 18.

SECT. 21, sentence inserted after first sentence, 1946, 214.

SECT. 24, second sentence revised, 1945, 647 § 1.

SECT. 27 revised, 1945, 647 § 2.

SECT. 28 revised, 1945, 647 § 3.

SECT. 29 revised, 1945, 647 § 4.

SECT. 30 revised, 1945, 647 § 5.

SECT. 32, first sentence revised, 1945, 199.

SECT. 34A added, 1945, 577 (relative to affiliated companies of common carriers).

SECT. 59 revised, 1933, 326 § 1.

SECT. 60 amended, 1933, 326 § 2; 1941, 233.

SECT. 61 amended, 1933, 326 § 3; 1946, 437 § 1.

SECT. 62 amended, 1933, 326 § 4; 1946, 437 § 2.

- SECT. 63 amended, 1946, 437 § 3.
 SECT. 65 amended, 1937, 270.
 SECT. 70 revised, 1934, 357 § 1.
 SECT. 80 amended, 1934, 357 § 2.
 SECT. 89 revised, 1936, 363 § 1; amended, 1951, 24 § 1; 1953, 42 § 1.
 (See 1953, 42 § 4.)
 SECT. 90 revised, 1936, 363 § 2; amended, 1951, 24 § 2.
 SECT. 91 revised, 1936, 363 § 3.
 SECT. 92 amended, 1936, 363 § 4; 1951, 24 § 3.
 SECT. 93 amended, 1936, 363 § 5; 1951, 24 § 4.
 SECT. 94 amended, 1936, 363 § 6; 1951, 24 § 5; 1953, 319 § 23.
 (See 1953, 319 §§ 39, 40.)
 SECT. 95 amended, 1951, 24 § 6.
 SECT. 98 amended, 1948, 550 § 32.
 SECT. 99 amended, 1948, 550 § 33.
 SECT. 101 revised, 1950, 116.
 SECT. 103 amended, 1933, 10; 1941, 54; 1943, 322 § 1.
 SECT. 104, first sentence revised, 1950, 117 § 1. (See 1950, 117 § 2.)

Chapter 159A. — Common Carriers of Passengers by Motor Vehicle.

[Title amended, and headings, "PART I", "CARRIERS OF PASSENGERS BY MOTOR VEHICLE", inserted before section 1, 1933, 372 § 1.]

- SECT. 1 revised, 1948, 550 § 34; 1949, 297 § 11.
 SECT. 2 revised, 1947, 258 § 1. (See 1947, 258 § 2.)
 SECT. 4, first sentence stricken out and three sentences inserted, 1945, 318 § 1. (See 1945, 318 § 2.)
 SECT. 7A added, 1949, 449 (relative to the transfer of certificates, licenses and permits issued for certain common carriers); first sentence revised, 1952, 355; second paragraph amended, 1951, 160; two sentences added at end, 1954, 281.

SECT. 10, paragraph added at end, 1945, 585.

[SECTS. 17-30 added, under headings, "PART II", "CARRIERS OF PROPERTY BY MOTOR VEHICLE", 1933, 372 § 2 (regulating carriers of property by motor vehicle).]

NOTE — 1933, 372 repealed by 1934, 264 § 5.

SECT. 11A added, 1939, 404 § 1 (placing special and chartered buses, so called, under the supervision of the department of public utilities); amended, 1941, 480; revised, 1947, 482 § 1; first sentence revised, 1953, 268 § 1; first paragraph revised, 1954, 319 § 1; second paragraph revised, 1954, 319 § 2; third paragraph amended, 1948, 484; 1950, 501; 1951, 161; 1954, 307. (See 1939, 404 § 2; 1947, 482 § 2; 1953, 268 § 2; 1954, 319 § 3.)

SECT. 15 revised, 1949, 609.

Chapter 159B. — Carriers of Property by Motor Vehicle.

New chapter inserted, 1934, 264 § 1.

Chapter stricken out and new chapter 159B (with same title) inserted, 1938, 483 § 1. (See 1938, 483 §§ 2-5.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 159B as so inserted:

SECT. 2, definition of "Irregular route common carrier" revised, 1941, 653 § 2; definition of "Regular route common carrier" revised and

paragraph defining "Regular routes" added, 1941, 653 § 3; definition of "Agricultural carrier by motor vehicle" inserted, 1941, 704 § 1; definitions of "Contract carrier by motor vehicle", "Motor carrier" and "Permit" revised, 1941, 704 § 2; definition of "Motor Carrier" revised, 1951, 664 § 3; definition of "Property" inserted, 1949, 346 § 1; revised, 1954, 87; definition of "Motor Vehicle" stricken out and definition of "Commercial Motor Vehicle" inserted, 1951, 664 § 1; definition of "Private Carrier" inserted, 1951, 664 § 2; revised, 1952, 483. (See 1941, 704 § 4.)

SECT. 3, introductory paragraph amended, 1945, 400 § 1; paragraph (b) revised, 1941, 592 § 1; paragraph (c) revised, 1945, 400 § 2; amended, 1946, 420 § 1; revised, 1947, 52 § 1; paragraph (d) revised, 1950, 189. (See 1945, 400 § 8; 1946, 420 § 2; 1947, 52 § 2.)

SECT. 4, second paragraph revised, 1945, 400 § 3; third paragraph revised, 1941, 592 § 2; paragraph added at end, 1951, 384 § 1. (See 1951, 384 § 2.)

SECT. 6, fifth paragraph amended, 1951, 664 § 4.

SECT. 7, paragraph (a) revised, 1939, 171; amended, 1950, 187; paragraph (b) amended, 1945, 343.

SECT. 9 amended, 1941, 483 § 1; 1946, 376 § 1; sentence added at end, 1947, 52 § 3; section revised, 1954, 553.

SECT. 10, paragraph added at end, 1939, 306; amended, 1941, 483 § 2; paragraph added at end, 1945, 379; section amended, 1946, 376 § 2; first paragraph amended, 1954, 481; second paragraph revised, 1953, 423.

SECT. 10A added, 1939, 322 (relative to replacing lost or mutilated plates and lost or destroyed certificates, permits and licenses issued to carriers of property by motor vehicle); sentence added at end, 1945, 644 § 1; section revised, 1953, 309; sentence inserted before first sentence, 1954, 288.

SECT. 10B added, 1946, 376 § 3 (relative to the issuance of certain distinguishing plates to carriers of property by motor vehicle and to the use of such plates); revised, 1954, 440.

SECT. 11 amended, 1941, 483 § 3; first sentence of first paragraph revised, 1948, 616 § 1; amended, 1950, 186; second sentence of last paragraph revised, 1945, 644 § 2; same sentence revised, 1948, 616 § 2; paragraph added at end, 1951, 158.

SECT. 12, first paragraph revised, 1941, 653 § 4; second sentence amended, 1945, 400 § 4; second paragraph revised, 1954, 293.

SECT. 13 amended, 1941, 692; 1945, 400 § 5; first sentence revised, 1951, 262.

SECT. 14 amended, 1941, 653 § 5; 1945, 400 § 6; 1949, 346 § 2.

SECT. 14 stricken out and sections 14-14B inserted, 1951, 664 § 5 (relative to the powers and duties of investigators and examiners of the commercial motor vehicle division of the department of public utilities).

SECT. 14B amended, 1952, 255.

SECT. 15A added, 1941, 704 § 3 (relative to agricultural carriers of property by motor vehicles). (See 1941, 704 § 4.)

SECT. 16A added, 1939, 307 (giving the department of public utilities authority to obtain certain information of persons engaged in leasing motor vehicles for the transportation of property for hire).

SECT. 17 revised, 1951, 664 § 6.

SECT. 19 amended, 1949, 187.

SECT. 21, first paragraph amended, 1951, 664 § 7; second paragraph amended, 1950, 194.

Chapter 160. — Railroads.

SECT. 38 revised, 1946, 226.

SECT. 68 revised, 1943, 33.

SECT. 70 amended, 1932, 238.

SECT. 70A revised, 1932, 236; amended, 1934, 264 § 3.

SECT. 85 amended, 1941, 53.

SECT. 102 amended, 1941, 496 § 1.

SECT. 104 revised, 1933, 176.

SECT. 106 revised, 1953, 332.

SECT. 131A added, 1948, 639 (authorizing certain corporations to own and operate railroad terminal facilities).

SECT. 134 amended, 1941, 273 § 1; revised, 1953, 216.

SECT. 134A added, 1950, 815 § 1 (relative to the proper clearance of tracks in railroad yards); amended, 1953, 667; sentence added at end, 1954, 239.

SECT. 138 amended, 1941, 273 § 2.

SECT. 142 amended, 1938, 29; revised, 1947, 584 § 1; second and third sentences revised, 1951, 461 § 1. (See 1947, 584 § 2; 1951, 461 § 2.)

SECT. 144 revised, 1945, 301.

SECT. 147 revised, 1947, 498.

SECT. 163A added, 1952, 430 § 1 (requiring track motor cars operated by railroads to be equipped with windshields and tops). (See 1952, 430 § 2.)

SECT. 167 amended, 1941, 273 § 3.

SECT. 176A added, 1951, 174 § 1 (requiring lights on track motor cars operated by railroads). (See 1951, 174 § 2.)

SECT. 185A added, 1943, 333 (providing that railroad and terminal corporations shall provide reasonable lavatory and sanitary facilities for their employees).

SECT. 198A. See 1936, 267.

SECT. 198B added, 1936, 267 (prohibiting the scalping, so called, of tickets issued by railroad corporations).

SECT. 219 amended, 1953, 42 § 2. (See 1953, 42 § 4.)

SECT. 220 amended, 1953, 42 § 3. (See 1953, 42 § 4.)

SECT. 232 amended, 1947, 506 § 6; revised, 1949, 427 § 10. (See 1949, 427 § 11.)

SECT. 235 amended, 1941, 490 § 38.

SECT. 245 amended, 1941, 273 § 4, 496 § 2.

Chapter 161. — Street Railways.

Name of Metropolitan Transit District changed to Boston Metropolitan District, and authority to issue notes and bonds defined, 1932, 147.

Temporary act, extending to January 15, 1939, the period of public control and management of the Eastern Massachusetts Street Railway Company, 1933, 108; further extension of five years, 1938, 173; further extension of five years, 1943, 98.

Temporary acts relative to the purchase of bonds of the Boston Elevated Railway Company by the Boston Metropolitan District, 1933, 235; 1934, 334; 1935, 451; 1936, 308; 1937, 357; 1941, 567; 1947, 92.

Act providing for the creation of the Metropolitan Transit Authority and the acquisition and operation by it of the entire assets, property and franchises of the Boston Elevated Railway Company, 1947, 544.

SECT. 20A amended, 1939, 28.

SECT. 35 amended, 1943, 342.

SECT. 42, third sentence amended, 1934, 328 § 20.

SECT. 44 amended, 1934, 264 § 4.

SECT. 69A added, 1954, 576 (authorizing the merger of certain associations or trusts with street railway companies).

SECT. 77 revised, 1934, 310 § 1.

SECT. 86 revised, 1934, 310 § 2.

SECT. 91A added, 1935, 101 (relative to the number of guards on passenger trains operated by street railway companies).

SECT. 94 revised, 1950, 118.

SECT. 107, first paragraph amended, 1946, 253.

Chapter 163. — Trackless Trolley Companies.

SECT. 12 added, 1932, 185 (requiring trackless trolley companies to furnish security for civil liability on account of personal injuries or property damage caused by their vehicles).

SECT. 13 added, 1943, 141 (providing a penalty for the improper operation of trackless trolley vehicles, so called).

Chapter 164. — Manufacture and Sale of Gas and Electricity.

For legislation authorizing compacts relative to the interstate transmission of electricity and gas, see 1933, 294.

SECT. 4 amended, 1938, 44.

SECT. 6, paragraph (e) revised, 1947, 48.

SECT. 13 revised, 1950, 237; 1953, 85.

SECT. 14 amended, 1935, 222.

SECT. 15 revised, 1950, 393.

SECT. 17A added, 1932, 132 (regulating the lending of money by gas and electric companies); revised, 1954, 95 § 1. (See 1954, 95 § 2.)

SECT. 19, sentence inserted after first sentence, 1953, 328.

SECT. 31 amended, 1939, 301 § 2.

SECT. 33 amended, 1932, 180 § 32; 1953, 283.

SECT. 34 amended, 1937, 235 § 1. (See 1937, 235 § 2.)

SECT. 59 revised, 1953, 502.

SECT. 69A added, 1950, 419 (authorizing the purchase, sale and distribution of natural gas by certain cities and towns).

SECT. 70A revised, 1948, 550 § 35.

SECTS. 75B-75D added, 1950, 462 (relative to natural gas pipe line companies).

SECT. 75E added, 1951, 574 § 1 (providing for rules and regulations relative to the transmission, distribution and use of natural gas). (See 1951, 574 § 2.)

SECT. 75F added, 1952, 192 (providing a penalty for failure of natural gas pipe line companies to restore properties to reasonable condition).

SECT. 75G added, 1953, 132 § 1 (requiring natural gas pipe line companies to mark location of underground pipes, equipment and structures on certain land). (See 1953, 132 § 2.)

SECT. 76A added, 1935, 335 § 1 (giving to the department of public utilities supervision over certain affiliates of gas and electric companies).

SECT. 84A added, 1934, 202 § 1 (requiring gas and electric companies to make additional annual returns).

SECT. 85, second paragraph amended, 1935, 335 § 2.

SECT. 85A added, 1933, 202 § 1 (requiring the filing with the department of public utilities of certain contracts of gas and electric companies with affiliated companies).

SECT. 94, paragraph in lines 29-37 amended, 1939, 178 § 1; section amended, 1948, 471. (See 1939, 178 § 2.)

SECT. 94A amended, 1941, 400 § 1.

SECT. 94B amended, 1941, 400 § 2.

SECT. 94C added, 1935, 227 (relative to payments, charges, contracts, purchases, sales or obligations or other arrangement between gas or electric companies and affiliated companies, and the burden of proving the reasonableness thereof).

SECT. 94D added, 1936, 243 (prohibiting gas and electric companies from collecting penalty charges for delinquency in the payment of bills for gas or electricity used for domestic purposes).

SECT. 94E added, 1941, 400 § 3 (relative to notice of the termination of certain contracts of gas and electric companies).

SECT. 94F added, 1953, 331 (providing for refunds by gas companies in certain cases).

SECT. 96 revised, 1939, 229 § 1.

SECT. 97 amended, 1943, 55.

SECT. 100 revised, 1950, 94.

SECT. 102 revised, 1939, 229 § 2.

SECT. 105A added, 1932, 119 (regulating the storage, transportation and distribution of gas).

SECT. 115A added, 1936, 259 § 1 (requiring the periodic replacement of meters for measuring gas); amended, 1937, 40 § 1; paragraph added at end, 1952, 520 § 1. (See 1936, 259 §§ 2, 3; 1937, 40 §§ 2, 3; 1952, 520 § 2.)

SECT. 119 revised, 1934, 365.

SECT. 119A added, 1936, 76 § 1 (requiring bills for gas or electricity used for domestic purposes to be itemized); revised, 1939, 145 § 1. (See 1936, 76 § 2; 1939, 145 § 2.)

SECT. 120, fifth sentence revised, 1953, 154.

SECT. 124 amended, 1935, 237, 376 § 2; 1952, 102.

SECT. 124A added, 1935, 376 § 1 (relative to the shutting off of gas or electric service in homes where there is serious illness).

Chapter 165. — Water and Aqueduct Companies.

SECT. 2A added, 1954, 610 (relative to the filing of schedules of water rates, prices and charges of water districts with the department of public utilities).

SECT. 4A added, 1933, 202 § 2 (requiring the filing with the department of public utilities of certain contracts of water companies with affiliated companies).

SECT. 19 repealed, 1941, 275 § 1.

SECT. 28 added, under caption "GENERAL PROVISIONS", 1941, 275 § 2 (further regulating the acquisition and holding of real estate by water and aqueduct companies).

Chapter 166. — Telephone and Telegraph Companies, and Lines for the Transmission of Electricity.

SECT. 12A added, 1934, 202 § 2 (requiring telephone and telegraph companies to make additional annual returns).

SECT. 15A added, 1935, 242 (regulating charges by telephone companies for the use of hand sets, so called).

SECT. 15B added, 1939, 162 (authorizing the sale and transfer of property and the transfer of locations by domestic telephone and telegraph companies to domestic or foreign telephone and telegraph companies and validating certain locations so transferred).

SECT. 21 amended, 1939, 161; revised, 1951, 476 § 1.

SECT. 22, second paragraph amended, 1932, 36; third paragraph revised, 1948, 550 § 36.

SECT. 22A added, 1932, 266 (relative to the placing underground of certain wires); revised, 1933, 251.

SECT. 25 revised, 1951, 476 § 2.

SECT. 28 revised, 1948, 550 § 37.

SECT. 29 revised, 1951, 476 § 3.

SECT. 32 revised, 1949, 529.

SECT. 35 revised, 1951, 476 § 4.

SECT. 36 amended, 1951, 476 § 5.

Chapter 167. — Banks and Banking.

For temporary act, providing for the establishment of a fund for the insurance of deposits in certain savings banks, see 1934, 43; amended, 1936, 149 §§ 2-4; 1938, 125 §§ 1, 2; 1939, 149 §§ 2, 3; 1941, 78 § 2.

For temporary act, providing for the establishment of a fund for the insurance of shares in co-operative banks, see 1934, 73; amended, 1935, 76, 80; 1936, 155; 1938, 244 §§ 2-5; 1939, 227 §§ 2-5.

For temporary act providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States defense savings bonds and defense postal savings stamps, see 1941, 221, 575.

For temporary legislation authorizing banking institutions to make loans to veterans of World War II guaranteed or insured by the administrator of veterans' affairs, see 1945, 46; 1946, 126; 1947, 110.

For temporary legislation suspending the law authorizing banks to verify deposit or pass books of depositors or shareholders, see 1943, 30; 1948, 19; repealed, 1949, 357 § 4.

SECT. 1 amended, 1935, 452 § 1.

SECT. 2 revised, 1934, 251; first paragraph amended, 1935, 452 § 2; revised, 1948, 527 § 1; last sentence revised, 1951, 566; third paragraph revised, 1950, 428. (See 1948, 527 § 5.)

SECT. 2A added, 1933, 310 (improving the method of examination of banks).

SECT. 4 amended, 1934, 270 § 1.

SECT. 5 revised, 1933, 337; second paragraph amended, 1954, 681 § 16. (See 1954, 681 §§ 20, 22.)

SECT. 6 revised, 1945, 164.

SECT. 9 revised, 1939, 499 § 8; 1945, 292 § 11; 1949, 592 § 1.

SECT. 11 revised, 1934, 270 § 2; amended, 1950, 480 § 1.

SECT. 11A added, 1938, 266 § 1 (placing all corporations conducted on the Morris plan under the supervision of the commissioner of banks and further regulating the business of banking companies).

SECTS. 11B and 11C added, 1950, 368 (providing that certain violations of laws relating to banks shall be reported to the commissioner of banks and to the district attorney).

SECT. 12 revised, 1935, 452 § 3; two sentences added at end, 1951, 765; section revised, 1954, 250.

SECT. 13, paragraph added at end, 1948, 527 § 2. (See 1948, 527 § 5.)

SECT. 14 revised, 1933, 334 § 1; 1949, 289 § 1.

SECT. 16 revised, 1949, 370.

SECT. 17 repealed, 1933, 334 § 2.

SECT. 18 amended, 1943, 110 § 1.

SECT. 20 amended, 1933, 190; 1943, 22.

SECT. 20A added, 1933, 292 (permitting certain public officers to participate in certain bank reorganizations).

SECTS. 22-36. See 1934, 43 § 11.

SECT. 22, second paragraph amended, 1943, 121. (See 1933, 59 § 5, 112 § 9.)

SECT. 23. See 1933, 112 § 6.

SECT. 24 amended, 1932, 294; 1933, 41 § 4.

SECT. 31A added, 1933, 277 (authorizing payment of dividends on small deposits in closed banks to certain minors and to the next of kin of certain deceased persons without probate proceedings); revised, 1937, 170.

SECT. 35. See 1936, 428.

SECT. 35A added, 1933, 302 (authorizing the destruction of certain books, records and papers relating to closed banks).

SECT. 35B added, 1934, 241 (providing for semi-annual reports by the commissioner of banks as to progress of liquidation of certain banks).

SECT. 36 amended, 1939, 451 § 58.

SECT. 37, third sentence amended, 1949, 592 § 2.

SECT. 37A added, 1949, 640 (relative to the establishing of branches of financial institutions).

SECT. 46 amended, 1943, 110 § 2.

SECT. 47 amended, 1943, 110 § 3.

SECT. 48 added, 1939, 244 § 6 (relative to payments of moneys on deposit in the name of a minor).

SECT. 49 added, 1941, 444 (relative to adverse claims to certain bank deposits and to certain securities held by banks for the account of others).

SECT. 50 added, 1945, 37 § 1 (making permanent the law authorizing certain banking institutions to take certain first mortgages on real estate). (See 1945, 37 § 2.) For prior temporary legislation see 1936, 191; 405 § 2; 1939, 98; 1941, 40.

SECT. 51 added, 1945, 66 § 1 (making permanent the law relative to the making by certain banking institutions of loans insured by the federal housing administrator); amended, 1948, 101; last sentence

revised, 1947, 89; amended, 1950, 480 § 3; section revised, 1950, 598. (See 1943, 339; 1945, 66 § 2; 1950, 480 § 4.) For prior temporary legislation see 1935, 162; 1937, 240; 1939, 241; 1941, 260; 1943, 126.

SECT. 52 added, 1946, 284 (permitting banks to close on Saturdays during June, July, August and September); amended, 1947, 9.

SECT. 53 added, 1947, 169 (relative to the liability of banks to their depositors for non-payment of checks).

SECT. 54 added, 1949, 428 (relative to the registration of trust securities in the names of nominees by banks doing a trust business); amended, 1951, 76.

SECT. 55 added, 1950, 287 § 1 (relative to presentment of certain demand instruments payable by, at or through banks).

Chapter 168. — Savings Banks.

For temporary act, establishing the Mutual Savings Central Fund, Inc., for the term of five years, see 1932, 44; term extended to ten years, 1936, 149 § 1; term extended to twenty-five years, 1939, 149 § 1; act amended, 1941, 78 § 1.

For temporary act, providing for the establishment of a fund for the insurance of deposits in certain savings banks, see 1934, 43; amended, 1936, 149 §§ 2-4; 1938, 125 §§ 1, 2; 1939, 149 §§ 2, 3; 1941, 78 § 2; 1952, 31; 534.

For temporary act modifying the requirements for making certain railroad bonds legal investments for savings banks, institutions for savings and trust companies in their savings departments, see 1939, 87; 1941, 115; temporary act repealed, 1941, 413 § 11.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

For an act creating the Savings Bank Investment Fund as an additional means of investment for savings banks, see 1945, 283 §§ 1-11.

SECT. 1, two paragraphs (defining "deposit book [etc.]" and "savings bank") added at end, 1933, 334 § 3.

SECT. 2 revised, 1933, 334 § 4.

SECT. 2A added, 1933, 46 § 1 (authorizing savings banks to become members of the Federal Home Loan Bank established for the district of New England).

SECT. 5. See 1936, 143 § 2.

SECT. 8, two sentences added at end, 1948, 20.

SECT. 11 amended, 1933, 334 § 5.

SECT. 13 amended, 1933, 334 § 6; 1946, 34. (See 1933, 41 § 1.)

SECT. 15 amended, 1946, 32.

SECT. 17 revised, 1933, 334 § 7.

SECT. 23, first sentence revised, 1949, 63.

SECT. 25 revised, 1933, 334 § 8; amended, 1949, 270; sentence added at end, 1951, 100.

SECT. 25A added, 1933, 334 § 8 (authorizing the collection of savings from school children through principals, teachers, etc.).

SECT. 26 revised, 1933, 334 § 9; 1943, 21 § 1.

SECT. 27 amended, 1933, 334 § 10.

SECT. 28 revised, 1933, 334 § 11; 1949, 357 § 1. (See 1943, 30; 1948, 19 § 2; 1949, 357 § 4.)

SECT. 29 amended, 1933, 334 § 12; 1945, 111; last sentence revised, 1953, 120.

SECT. 31 amended, 1945, 97; revised, 1947, 45 § 1; 1953, 141 § 1.

SECT. 31A revised, 1947, 45 § 2; 1953, 141 § 2.

SECT. 33A revised, 1933, 334 § 13.

SECT. 33B added, 1941, 103 (relative to the sale of checks by savings banks).

SECT. 34 revised, 1933, 334 § 14.

SECT. 34A added, 1948, 75 (relative to joint deposits made in a savings bank in trust for another).

SECT. 35 revised, 1933, 334 § 15.

SECT. 42 revised, 1945, 365.

SECT. 44 amended, 1941, 186.

SECT. 45 amended, 1933, 334 § 16. [Temporarily affected, 1953, 193.] (See 1951, 769; 161 § 2.)

SECT. 47 revised, 1933, 334 § 17; 1953, 192 § 1.

SECT. 49 amended, 1933, 334 § 18; 1941, 105.

SECT. 50 revised, 1933, 334 § 19; sentence added at end, 1952, 161 § 1; section revised, 1953, 192 § 2.

SECT. 51 revised, 1932, 245 § 1.

SECT. 51A revised, 1933, 334 § 20; amended, 1943, 27 § 1.

SECT. 53 revised, 1933, 334 § 21.

SECT. 54, clause First, first two paragraphs revised, 1933, 334 § 22; same clause revised, 1937, 180; first paragraph revised, 1946, 256 § 1; subdivision (a) revised, 1946, 256 § 2; subdivision (d) revised, 1943, 94 § 1; 1946, 256 § 3; subdivision (e) revised, 1943, 94 § 2; 1945, 184 § 1; 1946, 256 § 4; subdivision ($e\frac{1}{2}$) inserted, 1945, 184 § 2; revised, 1946, 256 § 5; subdivision (f) amended, 1945, 184 § 3; subdivision (g) added, 1947, 98; subdivision (h) added, 1947, 254; clause First revised, 1949, 719; first two sentences revised, 1951, 103; subdivision (h) revised, 1950, 96; 1953, 157; subdivision (i) amended, 1950, 85; clause Second, subdivisions (a), (e) and (f) revised, 1933, 334 § 23; subdivision ($b\frac{1}{2}$) inserted, 1952, 607; subdivision (h) added, 1933, 334 § 24 (forbidding investment of funds in bonds or notes of county, etc., in default, and defining term "in default"); subdivisions (a), (b), (c) and (d) affected, 1939, 112 § 2; clause Second revised, 1941, 413 § 1; subdivisions (h), (i), (j) stricken out and subdivisions (h) and (i) added, 1943, 215 § 1 (see 1943, 215 § 12); subdivision (k) amended, 1947, 236 § 1; clause Second A added, 1948, 361; clause Third affected, 1933, 111; 1934, 79; 1935, 72 §§ 1, 2; 1936, 84; 1937, 56; 1939, 87; 1941, 115, 413 § 11; subdivision (p) of clause Third revised, 1936, 79; clause Third revised, 1941, 413 § 2; subdivision (3) revised, 1943, 215 § 2; subdivision (4) amended, 1945, 377 § 1; first paragraph of subdivision (6) amended, 1943, 215 § 5; paragraph (d) of the definitions at the end of clause Third revised, 1943, 215 § 3; clause Third revised, 1948, 215; clause Third A added, 1943, 215 § 4 (relative to the investments of deposits and the income derived therefrom of savings banks in obligations of certain reorganized railroad corporations); first paragraph of subdivision (5) amended, 1945, 377 § 2; clause Third A revised, 1948, 215; clause Fourth amended, 1932, 112; stricken out, 1941, 413 § 3; clause Fifth revised, 1941, 413 § 4; subdivision (3) amended, 1947, 236 § 2; clauses Fifth A-Fifth D added, 1941, 413 § 5; clause Fifth A, subdivision (3) revised, 1948, 92 § 1; clause Fifth B, sub-

division (3) stricken out, 1948, 92 § 2; clause Fifth C, paragraph (c) added, 1947, 236 § 3; clause Fifth D, paragraph added at end, 1948, 92 § 3; clause Sixth A, first paragraph amended, 1937, 96; clause Sixth A revised, 1941, 413 § 6; 1945, 377 § 3; paragraph (c) of subdivision (1) revised, 1947, 236 § 4; paragraph (c) of subdivision (4) stricken out, 1947, 236 § 5; subdivisions (5), (6), (7) stricken out, and subdivisions (5), (6), (7), (8) inserted, 1947, 236 § 5; subdivision (8) amended, 1948, 92 § 4; clause Seventh, first paragraph amended, 1937, 87; second paragraph revised, 1932, 220; clause Seventh revised, 1941, 413 § 7; 1943, 215 § 6; amended, 1950, 367; subdivisions (a) and (b) revised, 1953, 158; last paragraph revised, 1948, 88; 1950, 83; 1952, 186; clause Seventh A added, 1945, 283 § 12 (authorizing the investment of deposits of savings banks in shares of the Savings Bank Investment Fund); clause Seventh B added, 1949, 340 (authorizing the investment of deposits of savings banks in obligations of federal intermediate credit banks); clause Seventh C added, 1953, 160 (authorizing savings banks to invest deposits and income therefrom in the capital stock of certain insurance companies); clause Ninth, first paragraph amended, 1945, 197 § 1; 1945, 407 § 1; subdivision (a) revised, 1945, 197 § 2 (see 1945, 407 § 2); amended, 1946, 68; 1950, 365; subdivision (c) (2) stricken out, 1933, 334 § 25; subdivision (d) stricken out, 1941, 413 § 8; subdivision (e) (2) revised, 1933, 334 § 26; amended, 1943, 110 § 4; revised, 1943, 215 § 7; subdivision (e) (3) revised, 1933, 334 § 26; 1943, 215 § 8; subdivision (e) (4) stricken out, 1943, 110 § 5; subdivision (e) (5) revised, 1933, 334 § 26; amended, 1943, 110 § 6; subdivision (e) (6) amended, 1939, 244 § 5; 1941, 234; clause Tenth A added, 1941, 106; amended, 1945, 162; revised, 1948, 90; clause Eleventh revised, 1946, 122; 1952, 160; 1953, 194; clause Twelfth amended, 1937, 274 § 2; revised, 1943, 215 § 9; clause Twelfth A added, 1947, 142; clause Thirteenth A added, 1941, 107; clause Fifteenth revised, 1941, 413 § 9; subdivision (a) revised, 1943, 215 § 10; 1954, 486; subdivision (c) revised, 1945, 377 § 4; subdivision (d) revised, 1945, 114; 1948, 124; clause Sixteenth affected, 1933, 111; 1934, 79; 1935, 72 §§ 1, 2; 1936, 84; 1937, 56; 1939, 87; 1941, 115, 413 § 11; clause Sixteenth stricken out, 1941, 413 § 10; clause Seventeenth revised, 1943, 215 § 11. (See 1943, 215 § 12.)

SECT. 54A added, 1949, 374 (further authorizing savings banks to invest in real estate mortgages insured by the federal housing administrator); amended, 1952, 194.

SECT. 55, paragraph added at end, 1933, 334 § 27 (authorizing the continuing of the offices of a merged savings bank as branch offices of the continuing bank).

SECT. 56 added, 1933, 41 § 1 (authorizing savings banks to purchase, loan upon or participate in loans upon the assets of certain closed and other banks).

SECT. 57 added, 1933, 334 § 28 (authorizing savings banks to become members of savings bank associations); revised, 1945, 61 § 1; sentence inserted after second sentence, 1949, 392.

SECTS. 58-60 added, 1943, 249 (providing for the establishment of a contributory savings bank employees retirement association); affected, 1948, 283.

SECT. 58, third paragraph amended, 1945, 104 § 1; 1953, 329 § 1; 1948, 142 § 1; fourth paragraph amended, 1948, 142 § 2; last para-

graph revised, 1946, 240; amended, 1953, 329 § 2; amended, 1948, 142 § 3; affected, 1948, 283.

SECT. 59 affected, 1948, 283.

SECT. 60 amended, 1945, 104 § 2; affected, 1948, 283.

Chapter 169. — Deposits with Others than Banks.

SECT. 1 amended, 1949, 64 § 1; 1950, 95.

SECT. 3, last sentence revised, 1949, 64 § 2.

SECT. 6 amended, 1949, 64 § 3; 592 § 3.

SECT. 7 amended, 1949, 64 § 4.

SECT. 8 revised, 1949, 64 § 5.

Chapter 170. — Co-operative Banks.

For temporary act, establishing the Co-operative Central Bank for the term of five years, see 1932, 45; term extended to ten years, 1935, 82; amount which a member bank may borrow without collateral further regulated, 1935, 136; 1941, 86; term further extended to twenty-five years, 1938, 244 § 1; refunds to member banks regulated, 1939, 227 § 1; act further amended, 1943, 219.

For temporary act, providing for the establishment of a fund for the insurance of shares in co-operative banks, see 1934, 73; amended, 1935, 76, 80; 1936, 155; 1938, 244 §§ 2-5; 1939, 227 §§ 2-5; 1945, 116.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

For temporary act to enable certain co-operative banks to invest funds in certain securities, see 1948, 50.

Chapter stricken out, and new chapter 170 inserted, 1933, 144.

Chapter stricken out, and new chapter 170 inserted, 1950, 371 § 1. (See 1950, 371 §§ 2-4; 1952, 148.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 170 as so inserted:

SECT. 1, definition of "Share capital" or "share liability" revised, 1952, 168 § 1; definition of "Shareholder" or "member" revised, 1952, 168 § 1A; "Net profits" defined, 1953, 87 § 1.

SECT. 7, first paragraph revised, 1952, 168 § 2.

SECT. 13, first sentence revised, 1952, 168 § 3; subsection 1, paragraph (d) amended, 1952, 257 § 1. (See 1952, 257 § 3.) See 1950, 480 § 2.

SECT. 16, first two paragraphs revised, 1954, 108.

SECT. 17 revised, 1952, 257 § 2. (See 1952, 257 § 3.)

SECT. 24, paragraph 8 amended, 1952, 137.

SECT. 37 revised, 1953, 87 § 2.

SECT. 38. See 1952, 149; 1953, 72.

SECT. 51, third paragraph amended, 1954, 109 § 1; last paragraph amended, 1954, 109 § 2.

Chapter 171. — Credit Unions.

For temporary act, establishing the Central Credit Union Fund, Inc., for the term of five years, see 1932, 216; amended, 1934, 221; 1939,

112 § 2. Term extended to ten years, 1936, 70. Term extended to twenty years, 1941, 177.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

SECT. 3, second paragraph revised, 1936, 323; 1948, 527 § 4. (See 1948, 527 § 5.)

SECT. 5 amended, 1939, 112 § 1.

SECT. 6, paragraph added at end, 1952, 162.

SECT. 6A added, 1946, 184 (to authorize deductions from wages of employees of districts and municipalities for making certain payments to credit unions of such employees); repealed, 1947, 189 § 2. (See G. L. chapter 149 § 178B, inserted by 1947, 189 § 1.)

SECT. 8 revised, 1946, 49 § 1.

SECT. 9 revised, 1946, 49 § 2.

SECT. 10, two sentences inserted after fifth sentence, 1945, 81; section revised, 1947, 87; fourth sentence revised, 1949, 287.

SECT. 15, first sentence revised, 1952, 94; last sentence stricken out, and paragraph added at end, 1933, 163 § 1; new paragraph added, 1935, 272; paragraph added by 1935, 272 revised, 1936, 329.

SECT. 16, second sentence amended, 1949, 286 § 1.

SECT. 17, sentence added at end, 1952, 95. See 1943, 30.

SECT. 19A added, 1938, 239 (relative to the liability of certain endorsers upon notes held by credit unions and authorizing the establishment of contingent funds by credit unions); revised, 1941, 79.

SECT. 20A added, 1936, 119 (relative to the impairment of the capital of credit unions).

SECT. 21 amended, 1933, 163 § 2; 1937, 228; revised, 1943, 118; sentence added at end, 1946, 76; section revised, 1949, 341; first sentence revised, 1951, 246; amended, 1951, 654; section revised, 1953, 121, 210; amended, 1954, 179 § 1.

SECT. 22, paragraph added at end, 1952, 88.

SECT. 24, paragraph added at end of subdivision (A), 1933, 163 § 3; first four paragraphs and subdivision (A) revised, 1941, 102; paragraph 4 of subdivision (A) revised, 1947, 85; paragraph 5 of subdivision (A) amended, 1946, 47; paragraph 7 of subdivision (A) added, 1948, 65; subdivision (A) revised, 1950, 84; 1951, 117; paragraph 1 of subdivision (A) revised, 1954, 122 § 1; paragraph 2 of subdivision (A) revised, 1954, 122 § 2; paragraph 5 of subdivision (A) amended, 1952, 91; 1953, 159 § 1; paragraph 6 amended, 1953, 159 § 2; revised, 1954, 122 § 3; subdivision (B) revised, 1945, 82; 1947, 178; first paragraph of subdivision (B) amended, 1952, 163; paragraph 3 of subdivision (B) revised, 1952, 105 § 1; paragraph 3A of subdivision (B) added, 1953, 159 § 3; paragraph 4 of subdivision (B) stricken out, 1952, 105 § 2.

SECT. 25, first paragraph revised, 1949, 286 § 2.

SECT. 27, first sentence amended, 1949, 592 § 5.

SECT. 29, first paragraph revised, 1936, 139; second paragraph amended, 1950, 162 § 7; 1954, 179 § 2.

SECT. 30 added, 1946, 90 (relative to the consolidation of credit unions and the conversion of foreign credit unions).

SECTS. 31-33 added, 1948, 509 § 1 (providing for the establishment of a contributory credit union employees retirement association). (See 1948, 509 § 2.)

SECT. 31, fifth paragraph revised, 1954, 121 § 1; paragraph added at end, 1954, 121 § 2.

Chapter 172. — Trust Companies.

For temporary act providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

SECT. 1 revised, 1934, 349 § 1.

SECT. 7, clause Fourth revised, 1934, 349 § 2.

SECT. 9, fifth sentence amended, 1934, 349 § 3.

SECT. 10, first paragraph amended, 1934, 349 § 4.

SECT. 11 revised, 1934, 349 § 5.

SECT. 12 revised, 1934, 349 § 6.

SECT. 13 revised, 1934, 349 § 7; first sentence amended, 1950, 93 § 1.

SECT. 14 revised, 1934, 349 § 8; 1935, 40; amended, 1936, 143 § 1.

SECT. 14A added, 1934, 349 § 9 (relative to the submission of a monthly report by the treasurer of a trust company to its board of directors); subparagraph 3 stricken out and subparagraphs 3 and 3A inserted, 1939, 244 § 1; subparagraph 3, clause (b) revised, 1950, 93 § 2; subparagraph 4 amended, 1950, 93 § 3; last paragraph revised, 1950, 93 § 4.

SECT. 15 revised, 1934, 349 § 10.

SECT. 16, paragraph added at end, 1934, 349 § 11.

SECT. 18 revised, 1934, 349 § 12; amended, 1935, 18; second paragraph revised, 1943, 110 § 8.

SECT. 19 amended, 1934, 349 § 13.

SECT. 19A added, 1943, 237 (providing for notice to the commissioner of banks of certain transfers of stock of trust companies).

SECT. 24 revised, 1934, 349 § 14; two paragraphs added at end, 1937, 248.

SECT. 25 amended, 1934, 349 § 15.

SECT. 26 amended, 1934, 349 § 16; revised, 1943, 21 § 2.

SECT. 27, three sentences added at end, 1946, 66.

SECT. 30A, sentence added at end, 1934, 349 § 17; same sentence amended, 1947, 28.

SECT. 31 revised, 1934, 349 § 18; last sentence amended, 1939, 124; 1949, 289 § 2.

SECT. 33 revised, 1941, 484 § 1. (See 1941, 484 §§ 4, 5.)

SECT. 34 revised, 1934, 349 § 19; 1939, 244 § 2; amended, 1951, 23 § 1.

SECT. 34A added, 1952, 150 (further limiting the investments by a trust company in certain loans issued by the federal housing commissioner).

SECT. 40 revised, 1941, 484 § 2; amended, 1945, 88; temporarily affected, 1951, 729. (See 1941, 484 §§ 4, 5.)

SECT. 40A added, 1943, 261 (clarifying the limits on the total liabilities of any one borrower to a trust company in its commercial and savings departments); temporarily affected, 1951, 729.

SECT. 41, sentence added at end, 1947, 36; same sentence revised, 1952, 93.

SECT. 43 revised, 1934, 349 § 20; 1941, 484 § 3. (See 1941, 484 §§ 4, 5.)

SECT. 44 revised, 1939, 187; amended, 1946, 87 § 1.

SECT. 44A added, 1933, 41 § 2 (authorizing trust companies to purchase, loan upon or participate in loans upon the assets of certain closed and other banks).

SECT. 45 revised, 1934, 349 § 21; amended, 1939, 244 § 3; revised, 1946, 87 § 2. (See 1943, 192; 1946, 87 § 4.)

SECT. 46 revised, 1934, 349 § 22; amended, 1939, 244 § 4; 1946, 87 § 3. (See 1943, 192; 1946, 87 § 4.)

SECT. 48 revised, 1934, 349 § 23; paragraph (c) added at end, 1937, 276.

SECT. 54 amended, 1934, 349 § 24; 1935, 172 § 1.

SECT. 54A added, 1935, 172 § 2 (authorizing trust companies under certain conditions to deposit in their commercial departments certain funds held in their trust departments).

SECT. 57 revised, 1934, 349 § 25.

SECT. 60 amended, 1934, 349 § 26; last sentence revised, 1951, 23 § 2.

SECT. 61 amended, 1933, 41 § 3.

SECT. 62 amended, 1934, 349 § 27; revised, 1941, 104.

SECT. 66 revised, 1932, 245 § 2.

SECT. 66A revised, 1943, 27 § 2.

SECT. 66B added, 1949, 289 § 3 (establishing the time within which an order may be paid notwithstanding the death of the drawer).

SECT. 67, paragraph added at end, 1933, 334 § 29 (regulating the declaration and payment of interest on deposits in savings departments of trust companies).

SECT. 69 amended, 1943, 110 § 7.

SECT. 70 revised, 1949, 357 § 3. (See 1943, 30; 1948, 19; 1949, 357 § 4.)

SECT. 74 amended, 1934, 349 § 28.

SECT. 75 revised, 1934, 349 § 29; last sentence revised, 1943, 193; 1945, 53 § 1.

SECT. 76 amended, 1934, 349 § 30.

SECT. 80 revised, 1934, 349 § 31 (but see 1934, 349 § 32); next to last sentence revised, 1945, 53 § 2.

SECT. 82 added, under caption "SET-OFF OR RECOUPMENT OF DEPOSITS", 1932, 295 § 1. (See 1932, 295 § 2.)

SECTS. 83-89 added, under caption "CONSERVATORSHIP", 1933, 87 § 1.

SECTS. 83, 88. See 1933, 112 §§ 6, 9.

SECT. 90 added, 1933, 273 (relative to the enforcement of conservatorship proceedings in respect to trust companies).

Chapter 172A. — Banking Companies.

New chapter inserted, 1935, 452 § 4.

For temporary act to enable certain banking institutions to cooperate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

SECT. 1 revised, 1938, 266 § 2; amended, 1941, 391 § 1. (See 1941, 391 §§ 2, 3.)

SECT. 1A added, 1938, 266 § 3 (authorizing certain existing corporations to vote to carry on the business of a banking company on certain conditions).

SECT. 2 amended, 1938, 266 § 4.

SECT. 3 revised, 1938, 266 § 5; fifth sentence amended, 1952, 97; sentence added at end, 1948, 285.

SECT. 4 amended, 1938, 266 § 6; 1949, 268 § 1.

SECT. 5, first paragraph revised, 1938, 266 § 7; section revised, 1948, 148 § 1; fourth sentence amended, 1953, 122; last paragraph revised, 1950, 92 § 1.

SECT. 5A added, 1948, 148 § 2 (relative to the limitations on the amount of deposits on certificate funds in banking companies).

SECT. 6 revised, 1938, 266 § 9.

SECT. 6A added, 1946, 115 § 1 (authorizing certain banking companies to receive deposits subject to withdrawal by check); amended, 1948, 150; second sentence amended, 1953, 123; last sentence revised, 1950, 92 § 2.

SECT. 7, preliminary sentence revised, 1946, 115 § 2; clause First, last sentence stricken out, 1945, 192 § 1; clause Second revised, 1943, 208; 1948, 35; amended, 1952, 96; clause Fourth added, 1945, 192 § 2; revised, 1948, 100.

SECT. 7A added, 1938, 266 § 8 (relative to the carrying and disposition by certain existing corporations of certain assets not authorized as investments after they become subject to this chapter).

SECT. 7B added, 1948, 36 (prohibiting the making of loans by banking companies on the security of their own shares and regulating the acquisition or holding by them of such shares).

SECT. 8 amended, 1947, 39.

SECT. 8A added, 1948, 34 (prohibiting the making of loans or extensions of credit by banking companies to their own executive officers).

SECT. 10, first sentence amended, 1946, 115 § 3; two sentences added at end, 1949, 268 § 2.

SECT. 12, sentence added at end, 1948, 37.

SECT. 12A added, 1948, 281 (relative to the merger, consolidation or purchase and sale of assets of banking companies).

SECT. 15 added, 1941, 438 (authorizing banking companies to sell certain negotiable checks).

Chapter 173. — Mortgage Loan Investment Companies.

SECT. 15 amended, 1949, 592 § 6.

SECT. 16 revised, 1949, 592 § 7.

Chapter 174. — Bond and Investment Companies.

Chapter stricken out, 1950, 822 § 1.

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

Chapter 174A. — Regulation of Rates for Fire, Marine and Inland Marine Insurance, and Rating Organizations.

New chapter inserted, 1947, 614 § 1. (See 1947, 614 § 3.)

SECT. 18, paragraph (c) amended, 1954, 681 § 17. (See 1954, 681 §§ 20, 22.)

Chapter 175. — Insurance.

For legislation authorizing domestic insurance companies to invest in real estate mortgages insured under the National Housing Act, see

1939, 359. (See also 1943, 339.) [For other legislation, see 1935, 162; 1937, 240; 1939, 241; 1941, 260; 1943, 126; 1946, 125.]

For temporary act, modifying the requirements for investments in real estate mortgages, see 1936, 191; amended, 1936, 405 § 2; extended, 1939, 98; 1941, 40.

For temporary legislation authorizing insurance companies to make loans to veterans of World War II guaranteed or insured by the administrator of veterans' affairs, see 1945, 46; 1946, 126; 1947, 110.

For temporary legislation confirming the power and authority of domestic insurance companies, their officers, directors, employees and agents, to pay certain taxes and fees, and relating to liability therefor, see 1945, 57; 1947, 80.

SECT. 1, definition of "Company" revised, 1947, 488 § 10; paragraph added (after definition of "Foreign company") defining "Industrial life insurance policy" or "policy of industrial life insurance", 1943, 227 § 11; paragraph added after word "law" in the fifty-second line, 1938, 306 (defining "resident" with respect to the incorporators, officers and directors of insurance companies). (See 1943, 227 §§ 13, 14.)

SECT. 4, first paragraph revised, 1938, 357 § 1; fourth paragraph amended, 1939, 472 § 4; revised, 1941, 324.

SECT. 5 amended, 1933, 107 § 2.

SECT. 6, first paragraph amended, 1933, 107 § 3; section amended, 1939, 472 § 1; first paragraph amended, 1939, 488 § 2; last sentence of same paragraph revised, 1949, 242 § 1. (See 1939, 488 § 9.)

SECT. 9, clause Second revised, 1941, 326 § 1; clause Fourth revised, 1941, 326 § 2; section revised, 1943, 227 § 1. (See 1943, 227 §§ 13, 14.)

SECT. 10 revised, 1947, 217.

SECT. 11, first paragraph amended, 1934, 92 § 1; revised, 1943, 207 § 3; 1945, 605 § 2; 1947, 539; third paragraph amended, 1933, 5. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 12 amended, 1943, 183 § 1. (See 1943, 183 § 2.)

SECT. 12A added, 1943, 183 § 2 (relating to the computation of reserves required of certain domestic liability insurance companies with respect to certain policies of liability insurance).

SECT. 14 amended, 1939, 395 § 2; revised, 1941, 635 § 3, 693; paragraph inserted after paragraph contained in line 14, 1943, 54 § 1; revised, 1945, 593 § 1; paragraph contained in lines 22-26 revised, 1943, 288; seventeenth paragraph revised, 1943, 54 § 2, 227 § 2. (See 1945, 593 § 2.)

SECT. 14A added, 1949, 735 § 2 (relative to contributions to the expenses of the Committee on Valuation of Securities of the National Ass'n of Insurance Commissioners, and the assessment upon domestic life insurance companies therefor).

SECT. 16, second paragraph amended, 1939, 395 § 3.

SECT. 19A amended, 1934, 137 § 2; revised, 1941, 364 § 1.

SECT. 19B added, 1939, 375 (authorizing domestic insurance companies to merge or consolidate with foreign insurance companies in certain cases); revised, 1941, 364 § 2.

SECT. 19C added, 1941, 364 § 3 (relative to rights of stockholders of merging or consolidating corporations).

SECT. 20, first sentence of second paragraph amended, 1946, 508; second sentence of second paragraph revised, 1948, 571; new paragraph inserted after fifth paragraph, 1941, 343.

SECT. 22A revised, 1935, 234; first paragraph amended, 1946, 158; last paragraph amended, 1938, 181; section revised, 1951, 327.

SECT. 24, sentence added at end of first paragraph, 1946, 244.

SECT. 25, first paragraph revised, 1950, 396 § 1; second paragraph revised, 1945, 159; amended, 1950, 396 § 2; third paragraph amended, 1950, 225; last paragraph of Form A stricken out, 1934, 12; Forms B and C revised, 1947, 488 § 2; last paragraph of section amended, 1934, 92 § 2.

SECT. 29 revised, 1939, 167.

SECT. 32 revised, 1938, 357 § 2; amended, 1941, 342 § 1.

SECT. 33 revised, 1946, 186.

SECT. 35 revised, 1950, 63.

SECT. 36, second paragraph revised, 1935, 140; 1936, 61; first two paragraphs revised, 1951, 125; two paragraphs added at end, 1938, 218 § 1; third paragraph revised, 1954, 75.

SECT. 36A added, 1948, 496 (relative to payment of retirement or insurance benefits to agents and agency employees of certain domestic insurance corporations).

SECT. 36B added, 1954, 247 (to permit accident and health insurance companies to cover their employees for accident and health insurance).

SECT. 47, clause First revised, 1938, 176; clause Fourth revised, 1938, 307; clause Fifth revised, 1954, 266; clause Sixth amended, 1941, 243; 1945, 436; 1951, 73; clause Seventh amended, 1937, 261; clause Twelfth revised, 1935, 204; clause Seventeenth added, 1946, 471 § 75.

SECT. 48, first paragraph revised, 1946, 471 § 2; lines 22 and 23 stricken out and new paragraph inserted, 1946, 471 § 3.

SECT. 48A revised, 1946, 471 § 4.

SECT. 49, first paragraph revised, 1954, 320 § 1; paragraph inserted after second paragraph, 1939, 15 § 2; same paragraph stricken out, 1954, 320 § 2; paragraph contained in the twenty-second to the twenty-eighth lines revised, 1941, 342 § 2; last paragraph stricken out, 1941, 342 § 3.

SECT. 50, first sentence revised, 1945, 609 § 1; 1954, 320 § 3; third sentence amended, 1932, 180 § 33.

SECT. 51, clause (a) revised, 1946, 471 § 5.

SECT. 54, clause (a $\frac{1}{2}$) added, 1946, 471 § 6; clause (e) revised, 1939, 488 § 3. (See 1939, 488 § 9.)

SECT. 54A added, 1932, 165 (permitting certain insurance companies to make outside the commonwealth contracts insuring personal property against all risks or hazards); amended, 1938, 198.

SECTS. 54B-54D added, 1945, 384 § 2 (authorizing multiple line underwriting, so-called, by certain domestic and foreign stock and mutual insurance companies). (See 1945, 384 § 3.)

SECT. 54B revised, 1946, 285; 1950, 475 § 1.

SECT. 54E added, 1951, 510 (to afford more complete insurance coverage for dwelling houses).

SECT. 59, sentence added at end, 1948, 286.

SECT. 63, paragraph 2, clause (d) added, 1947, 266 § 1; paragraph 3 amended, 1947, 266 § 2; paragraph 3A added, 1948, 70; paragraph 4 revised, 1947, 266 § 3; paragraph 5A added, 1947, 266 § 4; paragraph 6 revised, 1947, 266 § 5; paragraph 7 revised, 1945, 188; first sentence amended, 1951, 129; fifth sentence revised, 1954, 65; sentence added at end, 1946, 438 § 2; paragraph 7A added, 1950, 207; paragraph 9

revised, 1947, 266 § 6; paragraph 11 revised, 1947, 266 § 7; paragraph 14A added, 1947, 266 § 8; revised, 1954, 111 § 1; paragraph 14B added, 1951, 154.

SECT. 64, first paragraph revised, 1953, 110; second paragraph amended, 1936, 213; third paragraph revised, 1943, 207 § 2; 1947, 269 § 2; 1952, 395; paragraph added at end, 1941, 548. (See 1943, 207 § 4.)

SECT. 65 amended, 1946, 125; 1947, 41; revised, 1954, 176.

SECT. 66 amended, 1947, 650; second paragraph stricken out and two paragraphs inserted, 1954, 111 § 2.

SECT. 66A added, 1943, 207 § 1 (relative to the construction, operation and maintenance of low rental housing projects by domestic life insurance companies); revised, 1945, 605 § 1; 1947, 504. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 66B added, 1947, 269 § 1 (authorizing domestic life insurance companies to invest in certain land and buildings); fourth sentence amended, 1953, 94; fifth sentence stricken out and two sentences inserted, 1954, 68.

SECT. 70, second sentence revised, 1954, 320 § 4.

SECT. 71, first sentence stricken out and four sentences inserted, 1954, 320 § 5.

SECT. 72 amended, 1936, 212.

SECT. 73, first paragraph revised, 1939, 300 § 1.

SECT. 77 amended, 1941, 365 § 1. (See 1941, 365 § 2.)

SECT. 79 revised, 1933, 23 § 1; 1953, 220 § 1.

SECT. 80, first sentence revised, 1947, 196; paragraph inserted after the word "classified" in the twenty-third line, 1936, 315; section revised, 1947, 317; first sentence amended, 1951, 297.

SECT. 81, first sentence amended, 1952, 34.

SECT. 83, paragraph added at end, 1941, 716 § 5. (See 1941, 723.)

SECT. 85A added, 1941, 716 § 1 (providing that the commissioner of insurance may authorize certain domestic mutual insurance companies to issue non-assessable policies); sentence added at end, 1943, 247 § 1; sentence added at end, 1947, 197 § 1. (See 1941, 723; 1943, 247 § 4.)

SECT. 87 repealed, 1934, 22.

SECT. 90, first paragraph amended, 1941, 716 § 2; 1945, 403 § 2. (See 1941, 723.)

SECT. 90A amended, 1939, 300 § 2.

SECT. 90B revised, 1933, 23 § 2; 1945, 726.

SECT. 90C, first paragraph revised, 1953, 220 § 2.

SECT. 93, first paragraph revised, 1939, 488 § 1; 1941, 654 § 1. (See 1939, 488 § 9.)

SECT. 93B revised, 1939, 488 § 4. (See 1939, 488 § 9.)

SECT. 93C revised, 1939, 488 § 5. (See 1939, 488 § 9.)

SECT. 93D revised, 1939, 488 § 6. (See 1939, 488 § 9.)

SECT. 93F added, 1941, 716 § 3 (permitting certain domestic mutual insurance companies to issue non-assessable policies); sentence added at end, 1943, 247 § 2; sentence added at end, 1947, 197 § 2. (See 1941, 723; 1943, 247 § 4.)

SECT. 94, first two paragraphs stricken out, and two new paragraphs inserted, 1933, 81; first paragraph amended, 1938, 218 § 2; 1943, 532 § 2; revised, 1945, 313 § 2; third paragraph revised, 1952, 51. (See 1945, 313 § 5.)

SECTS. 94A-94M added, 1947, 488 § 1 (authorizing and regulating the exchange of reciprocal or inter-insurance contracts in the commonwealth).

SECT. 96A added, 1946, 471 § 7 (providing that insurance against expenses actually incurred in repairing or replacing property damaged or destroyed by fire or other causes shall not be subject to certain limitations as to value).

SECT. 97 amended, 1933, 31; two sentences added at end, 1945, 399 § 1. (See 1945, 399 § 2.)

SECT. 99, clause Ninth revised, 1934, 95; paragraph of the standard form appearing in lines 14-23 revised, 1943, 462; clause Tenth added, 1947, 488 § 3; section revised, 1951, 478 § 1. (See 1951, 478 § 2.)

SECT. 102 amended, 1932, 174 § 1; revised, 1934, 110 § 1. (See 1932, 174 § 2; 1934, 110 § 2.)

SECT. 104 repealed, 1947, 614 § 2. (See 1947, 614 § 3.)

SECT. 106 revised, 1932, 150 § 1; amended, 1939, 400 § 1. (See 1932, 150 § 4.)

SECT. 108, paragraph added at end, 1945, 341; paragraphs A-C added at end, 1947, 607; section revised, 1954, 275 § 1; paragraph C amended, 1954, 681 § 18. (See 1954, 275 §§ 4, 5, 681 §§ 20, 22.)

SECT. 109 repealed, 1954, 275 § 2. (See 1954, 275 §§ 4, 5.)

SECT. 110, sentence added at end, 1939, 133; section amended, 1941, 118; revised, 1943, 424 § 3, 532 § 1; subdivision (1) of second paragraph amended, 1945, 403 § 1; section revised, 1949, 676 § 3; amended, 1950, 392; subdivisions (A) and (B) revised, 1952, 532 § 1; subdivision (A) amended, 1954, 275 § 3, 327; 1953, 229 § 1; subdivision (C) amended, 1952, 532 § 1A; subdivision (D) revised, 1952, 532 § 2. (See 1954, 275 §§ 4, 5.)

SECT. 110A added, 1938, 401 (relative to exemption of the benefits of disability insurance from attachment and execution).

SECT. 110B added, 1939, 209 (relative to the termination or lapsing of certain accident and health policies for non-payment of premiums).

SECT. 111C added, 1943, 375 § 1 (providing for the inclusion of accident benefits in certain liability insurance policies); revised, 1948, 287.

SECT. 113A, provision (2) amended, 1933, 119 § 1; revised, 1933, 145 § 1; 1949, 570; amended, 1951, 648 § 2; provision (2A) added, 1933, 145 § 2; amended, 1935, 296 § 1; provision (6) revised, 1936, 272; 1949, 693 § 1. (See 1933, 145 § 3; 1935, 296 § 2; 1949, 693 § 2; 1951, 648 § 3.)

SECT. 113B, paragraph inserted after first paragraph, 1935, 459 § 4; third paragraph amended, 1951, 251. (See 1935, 459 § 5.)

SECT. 113D, first paragraph revised, 1933, 119 § 2; fourth paragraph revised, 1933, 146 § 1; sixth paragraph revised, 1933, 146 § 2; amended, 1934, 46; first sentence of sixth paragraph amended, 1938, 311; paragraph added at end, 1933, 119 § 3; paragraph added at end, 1934, 379; revised, 1951, 648 § 1. (See 1933, 119 § 6, 146 § 3; 1951, 648 § 3.)

SECT. 113E added, 1934, 61 (prohibiting certain discrimination in the issuance or execution of motor vehicle liability policies or bonds); amended, 1941, 401.

SECT. 113F added, 1937, 390 (relative to the renewal of motor vehicle liability policies or bonds, so called, in certain cases); first paragraph amended, 1938, 351.

SECT. 113G added, 1939, 406 § 1 (relative to the relations of officers, directors and employees of certain domestic insurance companies with certain insurance agencies and finance companies). (See 1939, 406 § 2.)

SECT. 113H added, 1953, 570 § 5 (relative to co-operation by insurance companies in the apportionment of certain motor vehicle liability risks).

SECT. 113I added, 1954, 274 (relative to the service charges for securing motor vehicle liability insurance for certain persons).

SECT. 113J added, 1954, 334 (requiring insurers under compulsory motor vehicle insurance law to furnish reports of medical examinations).

SECT. 114 amended, 1932, 180 § 34; 1939, 225.

SECT. 116A amended, 1932, 180 § 35.

SECT. 117A, first paragraph amended, 1938, 216 § 1; heading before section 117A stricken out and "MARINE AND AUTOMOBILE AND SPRINKLER LEAKAGE INSURANCE" inserted, 1938, 216 § 2.

SECT. 123 revised, 1943, 186; second paragraph stricken out, 1952, 14.

SECT. 125. See 1933, 42.

SECT. 126 amended, 1943, 227 § 5. (See 1933, 42 §§ 13, 14; 1943, 227.)

SECT. 128 revised, 1953, 97.

SECT. 130 revised, 1954, 66.

SECT. 132, first paragraph revised, 1933, 101 § 1; first paragraph amended, 1943, 227 § 6; provisions numbered 6, 7, 8, 9, revised, 1943, 227 § 7; provision numbered 10 revised, 1951, 131; four paragraphs added at end of section, 1943, 227 § 6. (See 1943, 227 §§ 13, 14.)

SECTS. 132A-132E added, 1945, 313 § 1 (relative to group annuity contracts). (See 1945, 313 § 5; 1947, 188 §§ 1, 2.)

SECT. 132A, clause (b) stricken out and clauses (b), (c) and (d) inserted, 1951, 249 § 1; second paragraph revised, 1951, 249 § 2; last paragraph revised, 1951, 249 § 3.

SECT. 133, clause (a) amended, 1946, 346; 1948, 54; revised, 1951, 404 § 1; clause (b) amended, 1938, 362 § 2; 1943, 424 § 1; revised, 1951, 404 § 2; clause (c) added, 1938, 362 § 1; clause (d) added, 1943, 424 § 2; clause (e) added, 1949, 676 § 1; amended, 1951, 195; revised, 1951, 404 § 3; amended, 1953, 229 § 2.

SECT. 134, sentence added at end of provision numbered 4, 1938, 362 § 3; said provision revised, 1939, 170; 1941, 456; last paragraph stricken out and three new paragraphs inserted, 1938, 362 § 4; first of said paragraphs revised, 1949, 676 § 2; amended, 1950, 463 § 1; paragraph inserted after second of said paragraphs, 1950, 463 § 2; section revised, 1951, 404 § 4; provision numbered 1 revised, 1954, 285.

SECT. 134A added, 1949, 676 § 4 (relative to the time of notice required in the conversion of group life insurance policies).

SECT. 138A added, 1943, 424 § 4 (relative to deductions from salaries of state, county and municipal employees for payment of premiums on certain group life insurance policies).

SECT. 139, two sentences added at end, 1945, 335; section revised, 1946, 313.

SECT. 140, second paragraph revised, 1943, 227 § 12; third paragraph amended, 1933, 101 § 2. (See 1943, 227 §§ 13, 14.)

SECT. 142 revised, 1943, 227 § 8; first sentence revised, 1950, 345 § 1. (See 1943, 227 §§ 13, 14; 1950, 345 § 2.)

SECT. 143 revised, 1943, 227 § 9. (See 1943, 227 §§ 13, 14.)

SECT. 144, last paragraph revised, 1933, 101 § 3; first three paragraphs stricken out and four new paragraphs inserted, 1938, 209 § 1;

section revised, 1943, 227 § 3; subdivision 11 added, 1945, 313 § 3. (See 1938, 209 § 3; 1943, 227 §§ 13, 14; 1945, 313 §§ 4, 5.)

SECT. 146 revised, 1943, 227 § 4. (See 1943, 227 §§ 13, 14.)

SECT. 146A added, 1945, 298 (providing for giving notice to holders of lapsed industrial life insurance policies of non-forfeiture benefits).

SECT. 147 amended, 1938, 209 § 2; repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 147A repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 147B added, 1935, 232 (requiring foreign life insurance companies to provide for paid-up and extended term insurance and cash surrender values on policies of industrial life insurance issued in the commonwealth); repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 149, first paragraph amended, 1954, 318.

SECTS. 149A-149D added, 1946, 455 (providing that certain unclaimed funds held by domestic life insurance companies be paid into the state treasury).

SECT. 149A revised, 1950, 523 § 1.

SECT. 149B amended, 1950, 523 § 2.

SECT. 149C amended, 1950, 523 § 3.

SECT. 149D, last sentence revised, 1949, 694 § 1; stricken out and two sentences inserted, 1950, 523 § 4. (See 1949, 694 § 2.)

SECT. 150 revised, 1945, 609 § 2; amended, 1946, 250.

SECT. 151, clause Second amended, 1933, 107 § 1; clause Second, subdivision (3) (c) revised, 1939, 488 § 7; 1950, 475 § 2; clause Second, subdivision (3) (f) revised, 1939, 488 § 8; 1950, 475 § 3. (See 1939, 488 § 9.)

SECT. 152A added, 1941, 716 § 4 (relative to the issue by certain foreign mutual insurance companies of non-assessable policies); sentence added at end, 1943, 247 § 3; same sentence amended, 1947, 257; sentence added at end, 1947, 197 § 3. (See 1941, 723; 1943, 247 § 4.)

SECT. 155, clause First revised, 1932, 150 § 2; amended, 1939, 400 § 2. (See 1932, 150 § 4.)

SECT. 156A amended, 1933, 30.

SECT. 157, paragraph added at end, 1939, 315; section revised, 1941, 451; first paragraph amended, 1952, 146.

SECT. 160A added, 1933, 25 § 1 (prohibiting the printing or publication of certain advertisements for or on behalf of unlicensed insurance companies).

SECT. 160B added, 1934, 14 § 1 (authorizing the commissioner of insurance to publish certain information relative to unlicensed foreign insurance companies or societies).

SECT. 162, third paragraph revised, 1941, 286.

SECT. 162A added, 1947, 629 (authorizing insurance companies and their agents to compensate duly licensed insurance brokers for certain services).

SECT. 162B added, 1954, 464 (authorizing agents and brokers to accept payment of insurance premiums in instalments and to finance insurance payments).

SECT. 163, paragraph added at end, 1941, 502; same paragraph revised, 1943, 85.

SECT. 164A added, 1938, 225 (providing that no insurance agent shall be charged with a decrease or deduction from his commission or salary

on account of industrial life insurance policies lapsed or surrendered after being paid on for three years); revised, 1943, 226.

SECT. 167A amended, 1934, 137 § 3; 1937, 260; 1945, 368; revised, 1954, 627 § 33. (See 1954, 627 §§ 65, 67.)

SECT. 168, first sentence revised, 1950, 347 § 1; fourth sentence stricken out and two sentences inserted, 1950, 347 § 2; fourth sentence amended, 1951, 130.

SECT. 172, last sentence revised, 1941, 703.

SECT. 173 revised, 1946, 299.

SECT. 174, fourth paragraph amended, 1954, 294.

SECT. 174C added, 1941, 493 (relative to the qualifications and licensing of insurance agents, insurance brokers and special insurance brokers).

SECTS. 177A-177D added, 1939, 395 § 1 (defining and providing for the licensing of insurance advisers).

SECT. 177B, second and third paragraphs stricken out, and new paragraph inserted, 1941, 635 § 1; paragraph added at end, 1941, 635 § 2.

SECT. 178 amended, 1941, 450 § 2.

SECT. 179, sentence added at end, 1939, 472 § 2; section revised, 1941, 452.

SECT. 180A stricken out, and new sections 180A-180L inserted, 1939, 472 § 3 (relative to the rehabilitation, conservation and liquidation of certain domestic and foreign insurers).

SECT. 180B, first sentence revised, 1949, 242 § 2.

SECT. 181 revised, 1934, 160; amended, 1939, 395 § 4.

SECT. 184 amended, 1937, 103; first sentence revised, 1947, 531; section amended, 1948, 98.

SECT. 185, first paragraph amended, 1939, 400 § 3; second paragraph revised, 1932, 150 § 3; first and second paragraphs revised, 1941, 654 § 2; section revised, 1943, 238 § 2.

SECT. 186A added, 1949, 237 (relative to certain presumptions created by the delivery of endowment policies or annuity contracts).

SECT. 187C, first paragraph amended, 1934, 34; 1936, 215 § 1. (See 1936, 215 § 2.)

SECT. 187E added, 1947, 104 (to facilitate payment by insurance companies of amounts not exceeding five hundred dollars due to estates of deceased persons).

SECT. 192, sentence added at end, 1943, 375 § 2.

SECT. 193B added, 1937, 314 (authorizing the payment of motor vehicle insurance premiums in instalments).

SECT. 193C added, 1948, 617 (authorizing interlocking directorates of domestic insurance companies).

SECT. 193D added, 1948, 621 (regulating the acquisition by domestic insurance companies of stock guaranty capital or other share capital of insurance companies).

SECT. 193E added, 1950, 520 (prohibiting coercion in the placing of insurance on real or personal property).

Chapter 175A. — Regulation of Rates for Certain Casualty Insurance, including Fidelity, Surety and Guaranty Bonds, and for all other Forms of Motor Vehicle Insurance, and Regulation of Rating Organizations.

New chapter inserted, 1947, 641 § 1. (See 1947, 641 § 3.)

SECT. 4, first paragraph amended, 1951, 138.

SECT. 19, paragraph (c) amended, 1954, 681 § 19. (See 1954, 681 § 20-22.)

Chapter 175B. — Unauthorized Insurer's Process Act.

New chapter inserted, 1950, 781.

Chapter 176. — Fraternal Benefit Societies.

SECT. 1, definition of "Fraternal benefit society" amended, 1945, 346 § 2.

SECT. 3 amended, 1941, 336 § 1; sentence inserted after first sentence, 1949, 217.

SECT. 4 amended, 1939, 139.

SECT. 5 amended, 1933, 25 § 2; 1934, 14 § 2; 1943, 238 § 3.

SECT. 8 amended, 1945, 346 § 3.

SECT. 11 amended, 1943, 309 § 1.

SECT. 12, first paragraph revised, 1941, 310.

SECT. 13, first sentence amended, 1945, 346 § 4.

SECT. 13A added, 1945, 346 § 1 (authorizing certain fraternal benefit societies to provide for hospitalization and medical service insurance).

SECT. 14 amended, 1945, 346 § 5; first sentence amended, 1952, 202; sentence added at end, 1949, 253.

SECT. 16 amended, 1938, 93.

SECT. 18 revised, 1941, 336 § 2; first sentence amended, 1954, 277; sentence added at end, 1954, 203.

SECT. 19, first sentence amended, 1945, 346 § 6; 1949, 252.

SECT. 19A added, 1939, 236 § 1 (relating to the granting of annuities by certain fraternal benefit societies).

SECT. 21 amended, 1934, 170; revised, 1937, 79; amended, 1939, 236 § 2.

SECT. 22 amended, 1941, 336 § 3.

SECT. 23 amended, 1932, 46; 1938, 94; 1949, 216; revised, 1951, 132; 1954, 103.

SECT. 24 amended, 1941, 322; first sentence amended, 1945, 329.

SECT. 25 revised, 1938, 157.

SECT. 30 amended, 1941, 336 § 4.

SECT. 31 amended, 1945, 346 § 7; 1947, 393; 1949, 251.

SECT. 32 revised, 1943, 309 § 2; last sentence revised, 1950, 223.

SECT. 32A added, 1943, 74 (providing a penalty for the alteration, defacement, mutilation, destruction or concealment of any record of a fraternal benefit society).

SECT. 36, first paragraph amended, 1941, 336 § 5.

SECT. 37A added, 1945, 331 (requiring vouchers, etc., for certain disbursements by fraternal benefit societies).

SECT. 40, first two sentences amended, 1932, 180 § 36; first paragraph amended, 1945, 346 § 8.

SECT. 41 amended, 1939, 168; 1945, 346 § 9; 1950, 226.

SECT. 42A added, 1943, 238 § 1 (further regulating the admission of certain foreign fraternal benefit societies to transact business within the commonwealth).

SECT. 45, second sentence amended, 1939, 254 § 1; paragraph added after first paragraph, 1943, 309 § 3; second paragraph amended, 1932, 104.

SECT. 46, fifth paragraph amended, 1939, 254 § 2; paragraph inserted after third paragraph, 1941, 274; three sentences added at end of paragraph so inserted, 1943, 86.

SECT. 46B added, 1932, 47 § 1 (authorizing certain fraternal benefit societies to acquire, hold, manage and dispose of real property, and confirming title to such property heretofore acquired by certain of such societies).

SECT. 46C added, 1941, 397 (permitting certain fraternal benefit societies to contract with insurance companies for the payment of benefits); amended, 1954, 398.

SECT. 46D added, 1945, 506 (authorizing grand or district lodges of certain secret orders or fraternities to pay a limited amount of death or funeral benefits).

SECT. 49A added, 1946, 124 (authorizing certain fraternal benefit societies to pay pensions to their employees in certain cases); revised, 1949, 218.

Chapter 176A. — Non-Profit Hospital Service Corporations.

New chapter inserted, 1936, 409.

Chapter stricken out and new chapter 176A (with new title) inserted, 1950, 766 § 1. (See 1950, 766 §§ 2-4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 176A as so inserted:

SECT. 1, paragraph added at end, 1951, 687; section revised, 1953, 287 § 1.

SECT. 3, first sentence revised, 1953, 287 § 2.

SECT. 5, first paragraph revised, 1953, 287 § 3; amended, 1954, 513; fourth paragraph amended, 1953, 636 § 4. (See 1953, 636 § 9.)

SECT. 6, first two sentences revised, 1953, 287 § 4.

SECT. 8, paragraph (c) (2) revised, 1953, 287 § 5.

SECT. 10, first paragraph revised, 1953, 287 § 6.

SECT. 13 revised, 1953, 287 § 7.

SECT. 17 revised, 1953, 636 § 5. (See 1953, 636 § 9.)

SECT. 27A added, 1951, 516 (relative to a system of general accident, hospitalization, medical and surgical insurance for state employees).

Chapter 176B. — Medical Service Corporations.

New chapter inserted, 1941, 306.

For legislation relative to payments to certain soldiers' homes for certain services rendered to subscribers, see 1952, 296.

SECT. 3, paragraph added at end, 1948, 359; amended, 1953, 143; paragraph added at end, 1953, 142.

SECT. 4 revised, 1950, 472.

SECT. 10 revised, 1950, 394 § 1; first sentence amended, 1954, 276 § 1.

SECT. 15 repealed, 1951, 797.

SECT. 16A added, 1943, 424 § 6 (relative to deductions from salaries of state, county and municipal employees of amounts payable under certificates issued by certain medical service corporations).

Chapter 176C. — Non-Profit Medical Service Plans.

New chapter inserted, 1941, 334.

For legislation relative to payments to certain soldiers' homes for certain services rendered to subscribers, see 1952, 296.

SECT. 11 revised, 1950, 394 § 2; amended, 1954, 276 § 2.

SECT. 16A added, 1943, 424 § 7 (relative to deductions from salaries of state, county and municipal employees of amounts payable under contracts issued by certain medical service corporations).

Chapter 176D. — Unfair Methods of Competition and Unfair and Deceptive Acts and Practices in the Business of Insurance.

New chapter inserted, 1947, 659.

Chapter 178. — Savings Bank Life Insurance.

For legislation relative to the computation of the reserve liability with respect to life insurance policies issued by savings and insurance banks and to the non-forfeiture benefits under such policies, see 1943, 227.

SECT. 10 amended, 1935, 330 § 1; 1946, 112 § 1; revised, 1951, 264. (See 1946, 112 § 2.)

SECT. 11 amended, 1935, 330 § 2.

SECT. 11A added, 1935, 330 § 3 (relative to non-payment of premiums on annuity and certain other contracts).

SECT. 14 amended, 1947, 260 § 3.

SECT. 15 amended, 1935, 330 § 4; 1936, 285 § 1.

SECT. 16 revised, 1947, 260 § 4.

SECT. 17 revised, 1935, 330 § 5; 1939, 391 § 1. (See 1939, 391 § 2.)

SECT. 18 amended, 1943, 210 § 1.

SECT. 18A added, 1943, 210 § 2 (relative to payments to the general insurance guaranty fund).

SECT. 19 amended, 1935, 330 § 6.

SECT. 21 revised, 1935, 330 § 7; amended, 1936, 285 § 2.

SECT. 26 revised, 1932, 103.

SECT. 29 amended, 1936, 285 § 3; revised, 1941, 108 § 1.

SECT. 30 amended, 1936, 285 § 4.

SECT. 31 revised, 1941, 108 § 2.

SECTS. 32 and 33 added, 1947, 143 (creating the savings bank life insurance council and defining its powers and the powers of savings and insurance banks relative thereto).

Chapter 179. — Proprietors of Wharves, Real Estate lying in Common, and General Fields.

SECT. 3 revised, 1943, 130 § 1. (See 1943, 130 § 2.)

SECT. 15 revised, 1948, 550 § 38.

Chapter 180. — Corporations for Charitable and Certain Other Purposes.

SECT. 3 amended, 1943, 549 § 5; revised, 1947, 559 § 1. (See 1947, 559 § 7.)

SECT. 5 amended, 1934, 328 § 21; second sentence revised, 1947, 559 § 2.

SECT. 6 revised, 1947, 461; 1949, 692 § 1; 1952, 602 § 13.

SECT. 6A added, 1949, 692 § 2 (relative to the approval of certain proposed corporations organized for the purpose of caring for minors and aged persons); repealed, 1952, 602 § 14.

SECT. 8 repealed, 1947, 559 § 3.

SECT. 10 amended, 1932, 180 § 37; revised, 1937, 151 § 1; 1943, 549 § 6; 1947, 559 § 4.

SECT. 11 revised, 1937, 151 § 2; 1947, 559 § 5.

SECT. 12 amended, 1946, 24; last sentence revised, 1948, 354 § 2; section repealed, 1954, 529 § 4.

SECT. 12A amended, 1935, 246; 1946, 25; repealed, 1954, 529 § 5.

SECT. 17, first sentence revised, 1947, 559 § 6.

SECT. 17A added, 1950, 740 § 1 (authorizing payroll deductions for union dues in case of certain governmental employees); revised, 1954, 678.

SECT. 26A added, 1933, 236 § 1 (requiring the filing of annual returns by certain incorporated clubs and other corporations); amended, 1945, 225. (See 1933, 236 § 2.)

SECT. 27 amended, 1934, 328 § 22.

Chapter 181. — Foreign Corporations.

SECT. 3 revised, 1943, 459 § 4; amended, 1946, 342 § 1; last sentence revised, 1949, 54.

SECT. 4, paragraph added at end, 1946, 342 § 2.

SECT. 12 amended, 1953, 351.

SECT. 23 amended, 1952, 315.

Chapter 182. — Voluntary Associations and Certain Trusts.

SECT. 1 amended, 1954, 254 § 1.

SECT. 2 revised, 1948, 550 § 39.

SECT. 3 amended, 1945, 649 § 1.

SECT. 4 amended, 1945, 649 § 2.

SECT. 7 amended, 1945, 649 § 3.

SECT. 8 amended, 1945, 649 § 4.

SECT. 9 amended, 1945, 649 § 5.

SECTS. 12-14 added, 1954, 254 § 2 (relative to filing reports by voluntary associations and certain trusts).

Chapter 183. — Alienation of Land.

SECT. 4 revised, 1941, 85.

SECT. 28A added, 1946, 438 § 1 (extending the security of real estate mortgages to cover expenses of repairs or replacements of mortgaged property and taxes and other assessments).

SECT. 43 amended, 1937, 101 § 1.

SECT. 44 amended, 1937, 101 § 2.

SECT. 54, first two sentences stricken out and one sentence inserted, 1951, 698.

Chapter 184. — General Provisions relative to Real Property.

SECT. 7, sentence added at end, 1954, 395 § 1.

SECT. 8 revised, 1954, 395 § 2.

SECT. 13 amended, 1937, 112; revised, 1937, 245 § 1; first paragraph amended, 1943, 52 § 1. (See 1937, 245 § 2; 1943, 52 § 2.)

SECT. 15 amended, 1941, 88 § 1. (See 1941, 88 § 2.)

SECT. 17A added, 1939, 270 (relative to the effect of agreements for the purchase and sale of real estate).

Chapter 184A. — The Rule Against Perpetuities.

New chapter inserted, 1954, 641 § 1. (See 1954, 641 § 2.)

Chapter 185. — The Land Court and Registration of Title to Land.

SECT. 1, clause (b) revised, 1935, 318 § 3; clause (c) revised, 1935, 318 § 4; clause (*j*¹/₂) added, 1934, 263 § 1 (granting to land court exclusive original jurisdiction to determine by declaratory judgment the validity and extent of municipal zoning ordinances, by-laws and regulations); clause (k) revised, 1934, 67 § 1; clauses (*l*) and (*m*) added, 1935, 318 § 5 (granting to said court original jurisdiction concurrent with supreme judicial and superior courts of certain suits in equity); paragraph in lines 44-50, inclusive, revised, 1937, 183 § 1; paragraph in lines 51-55 revised, 1947, 449 § 3. (See 1934, 67 § 2; 1935, 318 § 8; 1937, 183 § 2; 1947, 449 § 7.)

SECT. 2 amended, 1937, 409 § 3. (See 1937, 409 § 7.)

SECT. 2A repealed, 1937, 409 § 4. (See 1937, 409 § 7.)

SECT. 6, first sentence stricken out and two sentences inserted, 1953, 449 § 1; last sentence amended, 1949, 447. (See 1953, 449 § 2.)

SECT. 10A revised, 1948, 664 § 3; 1953, 601.

SECT. 11 amended, 1954, 308.

SECT. 12, sentence added at end, 1941, 27; section revised, 1943, 29; 1949, 47.

SECT. 14, sentence in lines 10-12 stricken out, 1946, 427 § 2; section revised, 1946, 544 § 3; first sentence amended, 1949, 696; section revised, 1951, 742 § 3. (See 1946, 427 § 3; 544 § 5; 1951, 742 §§ 4, 5; 1953, 567.)

SECT. 25A added, 1933, 55 (relative to the power of the land court to enforce its orders and decrees, and relative to service of its processes).

SECT. 40 amended, 1937, 118.

SECT. 48, paragraph added at end, 1949, 48.

SECT. 78 amended, 1937, 144 § 1. (See 1937, 144 § 2.)

Chapter 186. — Estates for Years and at Will.

SECT. 12 revised, 1946, 202.

SECT. 14 revised, 1950, 495.

SECT. 15 added, 1945, 445 § 1 (making void certain provisions of leases and rental agreements pertaining to real property). (See 1945, 445 § 2.)

SECT. 16 added, 1947, 118 § 1 (making void so much of any real estate or rental agreement as provides for its termination in the event tenants have children). (See 1947, 118 § 2.)

Chapter 188. — Homesteads.

SECT. 1 amended, 1939, 32 § 1. (See 1939, 32 § 5.)

SECT. 9 amended, 1939, 32 § 2. (See 1939, 32 § 5.)

Chapter 189. — Dower and Curtesy.

SECT. 3 revised, 1936, 91 § 1. (See 1936, 91 § 2.)

Chapter 190. — Descent and Distribution of Real and Personal Property.

SECT. 1, paragraph (1) amended, 1945, 238 § 1. (See 1945, 238 § 2.)

SECT. 7 amended, 1943, 72 § 1.

Chapter 190A. — Effect of Apparently Simultaneous Deaths upon Devolution and Disposition of Property, including Proceeds of Insurance.

New chapter inserted, 1941, 549 § 1. (See 1941, 549 § 2.)

Chapter 192. — Probate of Wills and Appointment of Executors.

SECT. 1A added, 1934, 113 (requiring that the attorney general be made a party in certain proceedings relative to the probate of wills).

SECT. 1B added, 1945, 338 § 1 (providing for a guardian ad litem when the surviving spouse of the deceased is under disability).

SECT. 7. See 1937, 408 § 3.

SECT. 9 amended, 1950, 390.

SECT. 12 added, 1954, 465 § 1 (requiring executors to notify devisees and legatees of devises and bequests). (See 1954, 465 § 2.)

Chapter 193. — Appointment of Administrators.

SECT. 3 amended, 1938, 328.

SECT. 4 amended, 1951, 163 § 1, 684 § 1. (See 1951, 684 § 2.)

SECT. 5 amended, 1951, 163 § 2.

SECT. 12 amended, 1945, 349 § 1.

Chapter 194. — Public Administrators.

SECT. 5A added, 1953, 333 (relative to the granting of administration to public administrators).

SECT. 7 revised, 1933, 100.

SECT. 9, last sentence amended, 1932, 180 § 38; section affected, 1932, 180 § 45.

SECT. 10. See 1936, 428.

Chapter 195. — General Provisions relative to Executors and Administrators.

SECTS. 1-4 repealed, 1933, 221 § 1. (See 1933, 221 § 8.)

SECT. 7 revised, 1945, 349 § 2.

SECT. 8 amended, 1933, 221 § 2. (See 1933, 221 § 8.)

SECT. 11, sentence added at end, 1954, 478 § 1.

SECT. 16 added, 1954, 562 § 1 (providing for the informal administration of certain small estates of deceased persons).

Chapter 196. — Allowances to Widows and Children, and Advancements.

SECT. 2 amended, 1933, 36; revised, 1936, 214.

Chapter 197. — Payment of Debts, Legacies and Distributive Shares.

SECT. 2 amended, 1933, 221 § 3. (See 1933, 221 § 8.)

SECT. 2A added, 1939, 298 (establishing limitations applicable to suits against, and regulating the payments of debts by, administrators de bonis non).

SECT. 9 amended, 1933, 221 § 4; 1954, 552 § 1. (See 1933, 221 § 8.)

SECT. 10 revised, 1954, 552 § 2.

SECT. 19 revised, 1954, 465 § 2. (See 1954, 465 §§ 3, 4.)

Chapter 200. — Settlement of Estates of Absentees.

SECT. 12 revised, 1941, 399 § 1.

SECTS. 13 and 14 stricken out and new section 13 inserted, 1941, 399 § 2.

SECT. 13 revised, 1946, 395.

Chapter 200A. — Abandoned Property.

New chapter inserted, 1950, 801.

SECT. 10 amended, 1953, 654 § 98.

SECT. 13, first sentence stricken out, 1953, 654 § 99.

Chapter 201. — Guardians and Conservators.

SECT. 1 amended, 1945, 728 § 1. (See 1945, 728 § 4.)

SECT. 6 amended, 1941, 194 § 13.

SECT. 7 amended, 1941, 194 § 14.

SECT. 13, sentence added at end, 1934, 204 § 1; section amended, 1941, 194 § 15.

SECT. 13A added, 1941, 325 (providing for the removal of a permanent guardian of an insane person).

SECT. 14 amended, 1941, 194 § 16.

SECT. 16 revised, 1945, 728 § 2. (See 1945, 728 § 4.)

SECT. 18, new sentence added at end, 1934, 204 § 2.

SECT. 20, see 1945, 338 § 3.

SECT. 21 revised, 1945, 728 § 3; amended, 1953, 571 § 3; second sentence revised, 1954, 330. (See 1945, 728 § 4.)

SECT. 30 amended, 1939, 57.

SECT. 33 amended, 1950, 420; sentence inserted after first sentence, 1954, 478 § 2.

SECT. 39A added, 1936, 270 (authorizing payments from estates of minors under guardianship for expenses for the funerals of the parents in certain cases).

SECT. 45, sentence added at end, 1945, 338 § 2.

SECT. 47A added, 1937, 312 § 1 (permitting guardians and conservators to invest funds in certain insurance policies and annuity contracts).

SECT. 48A revised, 1941, 241; 1949, 14; 1950, 66 § 1; first sentence amended, 1952, 174 § 1; revised, 1954, 311 § 1; sentence added at end, 1952, 174 § 2.

Chapter 202. — Sales, Mortgages and Leases of Real Estate by Executors, Administrators, Guardians and Conservators.

SECT. 4A added, 1933, 129 (relative to the use and management of real estate of a decedent by his executor or administrator for the purpose of the payment of debts from the rents thereof).

SECT. 12 amended, 1941, 194 § 17.

SECT. 14 amended, 1934, 157 § 1.

SECT. 19 amended, 1941, 341 § 1. (See 1941, 341 § 2.)

SECT. 20 revised, 1933, 221 § 5. (See 1933, 221 § 8.)

SECT. 32, first sentence amended, 1952, 445 § 2.

SECT. 36 added, 1945, 418 § 1 (relative to sales, mortgages and leases by guardians and conservators of wards holding real estate under tenancies by the entirety). (See 1945, 418 § 2.)

Chapter 203. — Trusts.

SECT. 3A added, 1946, 287 § 1 (exempting trusts created by employers in connection with stock bonus, pension, disability, death benefit or profit sharing plans from the rule against perpetuities). (See 1946, 287 §§ 2, 3.)

SECT. 12, sentence added at end, 1954, 478 § 3.

SECT. 13 revised, 1943, 201 § 1. (See 1943, 201 § 3.)

SECT. 16 amended, 1934, 157 § 2.

SECT. 17A added, 1932, 50 (relative to the sale of real estate by foreign testamentary trustees).

SECT. 22 amended, 1936, 184 § 1. (See 1936, 184 § 2.)

SECTS. 24A and 24B added, under caption "SALVAGE OPERATIONS OF TRUSTEES", 1943, 389 § 1. (See 1943, 389 § 2.)

SECT. 25A added, under the heading "PURCHASE OF INSURANCE POLICIES OR ANNUITY CONTRACTS", 1937, 312 § 2 (permitting trustees to invest funds in certain insurance policies and annuity contracts).

SECT. 41 revised, 1948, 550 § 40.

Chapter 203A. — Collective Investment of Small Trust Funds.

New chapter inserted, 1941, 474.

SECT. 7 amended, 1949, 755; revised, 1952, 209.

SECT. 11 added, 1945, 67 (making redeemable obligations of the United States eligible investments for common trust funds).

Chapter 204. — General Provisions relative to Sales, Mortgages, Releases, Compromises, etc., by Executors, etc.

SECT. 26 amended, 1933, 221 § 6. (See 1933, 221 § 8.)

SECTS. 27-36 added, 1943, 152 (authorizing releases and disclaimers of powers of appointment and providing for the methods of releasing and disclaiming the same).

SECT. 37 added, 1943, 201 § 2 (authorizing the resignation of fiduciaries by their guardians, conservators or committees, or other like officers, acting in their behalf).

Chapter 205. — Bonds of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

SECT. 4 amended, 1941, 45 § 1.

SECT. 5 amended, 1941, 45 § 2.

SECT. 19A revised, 1950, 65; 1954, 309.

Chapter 206. — Accounts and Settlements of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

SECT. 7 amended, 1941, 194 § 18.

SECT. 16 amended, 1941, 36; revised, 1949, 140.

SECT. 17 amended, 1936, 208.

SECT. 19 repealed, 1938, 154 § 2.

SECT. 23 repealed, 1938, 154 § 2.

SECT. 24 revised, 1938, 154 § 1; 1950, 413.

SECT. 25 revised, 1950, 64 § 1; first sentence revised, 1954, 312 § 1.

SECT. 27 revised, 1950, 66 § 2; 1954, 311 § 2.

SECT. 27A added, 1950, 265 (relative to the disposition of certain legacies or distributive shares of estates to persons entitled thereto but unavailable).

Chapter 207. — Marriage.

SECT. 5 amended, 1941, 194 § 18A.

SECT. 7 revised, 1941, 270 § 1.

SECT. 14, paragraph added at end, 1951, 469.

SECT. 17 amended, 1945, 185.

SECT. 19 revised, 1948, 550 § 41.

SECT. 20 amended, 1933, 127; sentence inserted after the word "residence" in line 18, 1943, 561 § 3.

SECT. 20A added, 1939, 269 § 3 (relative to the duties of city and town clerks in the case of the filing of notices of intention of marriage of pregnant females).

SECT. 20B added, 1941, 601 § 1 (requiring pre-marital physical examination); first paragraph amended, 1941, 697 § 1; second paragraph stricken out and three paragraphs inserted, 1941, 697 § 2; repealed, 1943, 561 § 2. (See 1941, 697 § 3.)

SECT. 21, paragraph added at end, 1943, 168 § 2.

SECT. 28 amended, 1941, 601 § 2. (See 1941, 601 § 4.)

SECT. 28A added, 1943, 561 § 1 (further regulating pre-marital examinations); revised, 1950, 113.

SECT. 30 amended, 1937, 11 § 1; 1945, 214 § 1; 1946, 197 § 1. (See 1937, 11 § 2; 1945, 214 § 2.)

SECT. 33 amended, 1941, 270 § 2.

SECT. 36 revised, 1946, 273 § 1.

SECT. 38 revised, 1932, 162; amended, 1946, 197 § 2; 1949, 249.

SECT. 40 revised, 1946, 197 § 3.

SECT. 42 amended, 1946, 197 § 4.

SECT. 47A added, under heading "BREACH OF CONTRACT TO MARRY NOT ACTIONABLE", 1938, 350 § 1 (abolishing causes of action for breach of contract to marry). (See 1938, 350 § 3.)

SECT. 52 revised, 1943, 312 § 1. (See 1943, 312 § 2.)

SECT. 55 repealed, 1946, 273 § 2.

SECT. 57 amended, 1941, 601 § 3. (See 1941, 601 § 4.)

Chapter 208. — Divorce.

SECT. 2 revised, 1937, 76 § 1. (See 1937, 76 § 2.)

SECTS. 9-11 revised, 1943, 196 § 1. (See 1943, 196 § 2.)

SECT. 19 revised, 1932, 3.

SECT. 20A added, 1953, 213 § 1 (authorizing a decree for living apart for justifiable cause in certain cases where a divorce decree has been denied). (See 1953, 213 § 2.)

SECT. 21, sentence added at end, 1934, 181 § 1. (See 1934, 181 § 2.)

SECT. 24 amended, 1943, 168 § 1.

SECT. 24A added, 1948, 66 (providing that copies of or certificates relating to decrees of divorce shall contain certain information relative to decrees nisi and to rights to remarry).

SECT. 26 repealed, 1949, 76 § 1.

SECT. 27 revised, 1949, 76 § 2.

SECT. 33 revised, 1936, 221 § 1. (See 1936, 221 § 2.)

SECT. 35 amended, 1950, 57.

SECT. 38 revised, 1933, 288.

SECT. 45 amended, 1948, 279.

SECT. 46 amended, 1952, 86.

Chapter 209. — Husband and Wife.

SECT. 10 revised, 1948, 550 § 42.

SECT. 21 amended, 1939, 32 § 3. (See 1939, 32 § 5.)

SECT. 32, sentence added at end, 1938, 136.

SECT. 33 revised, 1933, 360.

Chapter 210. — Adoption of Children and Change of Names.

SECT. 1 amended, 1941, 44.

SECT. 2 revised, 1950, 737 § 1; affected, 1951, 148.

SECT. 2A added, 1954, 649 § 1 (providing certain requirements relative to petitions for adoption).

SECT. 3 amended, 1941, 61; 1945, 239; revised, 1945, 300; amended, 1951, 674; revised, 1952, 352; 1953, 61.

SECT. 3A added, 1953, 593 § 1 (relative to consent to the adoption of children in certain cases).

SECT. 4 revised, 1953, 593 § 2.

SECT. 5A revised, 1950, 737 § 2; paragraph added at end, 1954, 649 § 2.

SECT. 5B added, 1950, 737 § 3 (providing that adoptive parents shall be of the same religion as the child when practicable).

SECT. 5C added, 1951, 173 (relative to the segregation and inspection of adoption papers).

SECT. 6, paragraph added at end, 1943, 155 § 1; 1950, 737 § 4.

SECT. 7, sentence added at end, 1950, 737 § 5.

SECT. 11A revised, 1950, 737 § 6.

SECT. 13, first paragraph amended, 1948, 247; paragraph added at end, 1943, 155 § 2.

Chapter 211. — The Supreme Judicial Court.

SECT. 4 amended, 1945, 465.

SECT. 11 revised, 1933, 300 § 1. (See 1933, 300 § 4.)

SECT. 13 revised, 1952, 416.

SECT. 19 revised, 1938, 115 § 1.

SECT. 22 revised, 1946, 544 § 1; 1951, 742 § 1. (See 1946, 544 § 5; 1951, 742 §§ 4, 5.)

Chapter 212. — The Superior Court.

For act further extending to June 30, 1949, the operation of certain provisions of law (1923, 469, as amended) relative to the more prompt disposition of criminal cases in the superior court, see 1948, 230. See 1949, 210 § 2.

SECT. 6 amended, 1953, 319 § 24. (See 1953, 319 §§ 39, 40.)

SECT. 14 revised, 1932, 144 § 1. (For prior temporary legislation, see 1927, 306; 1948, 230).

SECT. 14A added, 1932, 144 § 2 (regulating the establishing of sessions and sittings of the superior court. For prior temporary legislation, see 1927, 306; 1928, 228.)

SECTS. 14B-14E added, 1949, 210 § 1 (making permanent the operation of certain provisions of law relative to the more prompt disposition of criminal cases by district court judges sitting in the superior court). (See 1949, 210 § 3.)

SECT. 14B revised, 1954, 668 § 1. (See 1954, 668 § 2.)

SECT. 14E, first sentence amended, 1952, 477.

SECTS. 15-18 repealed, 1932, 144 § 3.

SECT. 20A added, 1949, 139 (relative to central pools of jurors summoned for attendance upon the superior court).

SECT. 22 amended, 1934, 287; 1943, 145 § 1; sentence added at end, 1943, 244 § 3. (See 1943, 145 § 2.)

SECT. 24 amended, 1943, 244 § 4.

SECT. 25 amended, 1932, 144 § 4.

SECT. 26A added, 1935, 229 § 1 (providing for the transfer from the superior court to the land court of certain actions at law and suits in equity where any right, title or interest in land is involved). (See 1935, 229 § 2.)

SECT. 27 revised, 1946, 544 § 2; 1951, 742 § 2. (See 1946, 544 § 5; 1951, 742 §§ 4, 5; 1953, 567.)

SECT. 28A repealed, 1949, 654 § 2.

Chapter 213. — Provisions Common to the Supreme Judicial and Superior Courts.

SECTS. 1A and 1B added, 1939, 257 § 1 (granting to the superior court jurisdiction of certain extraordinary writs and certain other matters, concurrently with the supreme judicial court). (See 1939, 257 § 2.)

SECT. 1A amended, 1941, 28, 180.

SECTS. 1C and 1D added, 1943, 374 § 4 (providing for changing a petition for certiorari into a petition for mandamus and vice versa and providing for appeals from judgments upon such petitions).

SECT. 3, clause Tenth A revised, 1945, 582 § 2 (see 1945, 582 §§ 4, 5); clause Tenth B added, 1943, 374 § 3 (providing for the presentation

at hearings upon petitions for certiorari of evidence at proceedings complained of in such petitions).

SECT. 3A added, 1949, 654 § 1 (relative to the printing of rules of the supreme judicial and superior courts).

SECT. 4 revised, 1947, 449 § 5. (See 1947, 449 § 7.)

SECT. 6 amended, 1932, 144 § 5.

Chapter 214. — Equity Jurisdiction and Procedure in the Supreme Judicial and Superior Courts.

SECT. 1 amended, 1935, 407 § 2. (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 1A added, 1954, 439 § 1 (relative to suits in equity for specific performance). (See 1954, 439 § 3.)

SECT. 2 amended, 1954, 439 § 2. (See 1954, 439 § 3.) Affected, 1939, 257 § 2.

SECT. 3, clause (1) revised, 1950, 387; clause (12) added at end, 1939, 194 § 1.

SECT. 9 amended, 1934, 381; 1935, 407 § 3; last sentence amended, 1947, 571 § 1. (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 9A added, 1935, 407 § 4 (limiting authority of courts to grant injunctive relief in cases involving or growing out of labor disputes); subsection (2) amended, 1950, 452 § 3. (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2; 1950, 452 §§ 5-7.)

SECT. 9B added, 1947, 571 § 2 (relative to the issuance of injunctions in certain jurisdictional disputes).

SECT. 22 amended, 1948, 309.

SECT. 23 revised, 1945, 394 § 1; 1947, 365 § 2. (See 1945, 394 § 2.)

SECT. 24 amended, 1947, 365 § 1.

Chapter 215. — Probate Courts.

SECT. 3, sentence added at end, 1949, 56.

SECT. 6 amended, 1933, 237 § 1; revised, 1937, 257; amended, 1939, 194 § 2; sentence inserted before last sentence, 1950, 485 § 3; 1951, 657 § 2; same sentence stricken out, 1954, 556 § 2. (See 1954, 556 § 10.)

SECT. 6B added, 1935, 247 § 1 (providing for interpretative judgments in the probate courts as to the meaning of written instruments); repealed, 1945, 582 § 3. (See 1935, 247 § 2; 1945, 582 § 5.)

SECT. 9, sentence added at end, 1945, 469 § 1; same sentence stricken out, 1947, 360. (See 1945, 469 § 2; 1946, 88, 610 § 1; 1947, 97 § 1.)

SECT. 11 amended, 1947, 365 § 3.

SECT. 30A amended, 1934, 330.

SECT. 39A added, 1947, 536 (relative to counsel fees in the probate courts); paragraph added at end, 1951, 80.

SECT. 39B added, 1951, 312 (relative to counsel fees and certain other expenses in probate courts).

SECT. 41 revised, 1950, 66 § 3; amended, 1954, 311 § 3.

SECT. 42, sentence added at end, 1952, 184 § 2. (See 1952, 184 § 4.)

SECT. 44, last sentence revised, 1941, 323 § 1; section amended, 1943, 91. (See 1941, 323 § 2.)

SECT. 58 revised, 1947, 449 § 4. (See 1947, 449 § 7.)

SECT. 61 repealed, 1939, 65 § 1. (See 1939, 65 § 2.)

SECT. 62, paragraph in lines 11-16 revised, 1950, 108 § 1; paragraph in lines 17-20 revised, 1932, 107; 1936, 241; paragraph in lines 26-28 revised, 1951, 514; paragraph in lines 29-33 revised, 1934, 24; paragraph in lines 34-37 amended, 1934, 54; same paragraph revised, 1934, 175 § 1; 1949, 444; paragraph in lines 38-42 revised, 1950, 416; paragraph in lines 45-51 revised, 1935, 132; paragraph in lines 56 and 57 revised, 1933, 274. (See 1934, 175 § 2; 1950, 108 § 2.)

Chapter 217. — Judges and Registers of Probate and Insolvency.

For legislation relative to abolition of office of special judge of probate and insolvency on the death, resignation or removal of the incumbent, see 1937, 408 § 8.

For legislation providing special retirement rights for the judges of probate for the counties of Dukes and Nantucket, see 1951, 760.

SECT. 1 amended, 1935, 434 § 1; revised, 1949, 716 § 1, 738 § 1.

SECT. 2 amended, 1934, 290; 1935, 434 § 2; first sentence revised, 1949, 716 § 2, 717, 738 § 2.

SECT. 3, sentence added at end, 1949, 436 § 1; revised, 1951, 517.

SECTS. 5 and 6 stricken out and new sections 5, 5A, 6, 6A inserted, 1937, 408 § 3. (See 1937, 408 § 9.)

SECT. 7, sentence added at end, 1937, 408 § 4. (See 1937, 408 §§ 3, 9.)

SECT. 8 revised, 1937, 408 § 5. (See 1937, 408 § 9.)

SECT. 15A added, 1952, 184 § 3 (relative to printing or typing names of persons whose signatures appear on certain instruments filed in probate courts). (See 1952, 184 § 4.)

SECT. 19 amended, 1948, 354 § 1; 1954, 529 § 2.

SECT. 24 amended, 1943, 464 § 1. (See 1943, 464 § 2.)

SECT. 24A revised, 1939, 392; 1947, 348.

SECT. 25 amended, 1947, 347.

SECT. 25A added, 1945, 475 § 1 (providing for a permanent third assistant register of probate for the county of Essex); revised, 1946, 482. (See 1945, 475 § 2.)

SECT. 30 revised, 1935, 143 § 1,* 1935, 313 § 1; 1936, 252 § 1; 1941, 226 § 1; paragraph added at end, 1951, 611 § 1; section revised, 1951, 700, 793 § 1. (See 1935, 313 § 3; 1936, 252 § 2; 1941, 226 § 2.)

SECT. 31 amended, 1951, 793 § 2.

SECT. 31A added,* 1935, 313 § 2 (providing for the appointment of a messenger for the probate court of Essex county). (See 1935, 313 § 3.)

SECT. 32A revised, 1952, 229 § 1.

SECT. 34 revised, 1937, 408 § 1; 1946, 544 § 4; 1951, 745 § 1. (See 1937, 408 § 9; 1946, 544 § 5.)

SECTS. 35A and 35B added, 1947, 678 § 2 (establishing the salaries of registers of probate and assistant registers). (See 1947, 678 § 3.)

SECT. 35A amended, 1949, 714; revised, 1951, 713 § 1. (See 1951, 713 § 3.)

SECT. 35B revised, 1951, 713 § 2; amended, 1953, 564. (See 1951, 713 § 3.)

SECT. 38 repealed, 1937, 408 § 2.

SECT. 40 revised, 1937, 408 § 6. (See 1937, 408 § 9.)

SECT. 41 amended, 1937, 408 § 7; 1941, 503. (See 1937, 408 §§ 8, 9.)

* Void for non-acceptance.

Chapter 218. — District Courts.

For act further extending to June 30, 1949, the operation of certain provisions of law (1923, 469, as amended) authorizing certain justices of district courts to sit in criminal cases in the superior court, see 1948, 230.

For legislation limiting the number of special justices of certain district courts, see 1941, 664.

SECT. 1, first paragraph under caption "*Franklin*" revised, 1932, 87 § 1; section amended, 1939, 451 § 59; third paragraph under caption "*Norfolk*" revised, 1949, 590 § 1; fifth paragraph under caption "*Suffolk*" revised, 1949, 273 § 1. (See 1949, 590 §§ 2-4; 739; 1951, 758.)

SECT. 2A added, 1951, 325 (providing for the transfer of certain actions brought in district courts).

SECT. 6, first paragraph revised, 1941, 664 § 1; second paragraph revised, 1945, 611; section revised, 1947, 588 § 1; first and second paragraphs revised, 1949, 731; 1951, 762 § 1; 1952, 560; last sentence of third paragraph stricken out and two sentences inserted, 1949, 768; third paragraph revised, 1950, 575. (See 1941, 664 §§ 2, 3; 1947, 588 §§ 2, 3; 1951, 762 § 4.)

SECT. 8 revised, 1936, 282 § 1. (See 1936, 282 § 3.)

SECT. 9, sentence added at end, 1934, 217 § 1; section revised, 1951, 604 § 1; first sentence amended, 1952, 156 § 1.

SECT. 10 amended, 1932, 160 § 1; 1937, 297 § 1; 1938, 193 § 1; first paragraph amended, 1946, 182; 1947, 335 § 1; 1949, 443; 1950, 444; second paragraph revised, 1938, 222 § 1; amended, 1949, 800; 1951, 541 § 1; paragraph added at end, 1941, 309 § 1; another paragraph added at end, 1948, 642 § 1. (See 1937, 297 § 2; 1938, 193 § 2, 222 § 2; 1947, 335 § 2; 1951, 541 § 2.)

SECT. 11 revised, 1951, 604 § 2; first sentence amended, 1952, 156 § 2.

SECT. 13 revised, 1937, 59; first paragraph stricken out, 1939, 157 § 1. (See 1939, 157 § 4.)

SECT. 15 revised, 1939, 230 § 1, 347 § 1; first paragraph amended, 1947, 460 § 1. (See 1939, 230 § 2; 1947, 460 § 2.)

SECT. 16 revised, 1937, 219 § 3; 1939, 214 § 5.

SECT. 19 amended, 1934, 387 § 1; 1943, 296 § 1; sentence added at end, 1954, 556 § 3; section revised, 1954, 616 § 1. (See 1934, 387 § 5; 1943, 296 § 6, 437; 1954, 556 § 10, 616 § 5.)

SECT. 21 amended, 1953, 168.

SECT. 22 amended, 1937, 310; first sentence revised, 1954, 328 § 1. (See 1954, 328 § 4.)

SECT. 23 amended, 1950, 500 § 1.

SECT. 26 revised, 1937, 301 § 1; 1938, 365 § 1. (See 1937, 301 § 2; 1938, 365 § 2.)

SECT. 29 amended, 1932, 55.

SECT. 30 amended, 1941, 194 § 19.

SECT. 35A added, 1943, 349 § 1 (providing that certain persons against whom complaints are made in district courts may be given an opportunity to be heard before issuance of process); revised, 1945, 293. (See 1943, 349 § 2.)

SECT. 37 amended, 1945, 250 § 1.

SECT. 38, second sentence revised, 1939, 347 § 2.

SECT. 40, fourth sentence revised, 1948, 398 § 1.

SECT. 43 amended, 1939, 347 § 3.

SECT. 43A, first paragraph amended, 1938, 324; section revised, 1941, 682 § 1; first paragraph amended, 1943, 101. (See 1941, 682 §§ 1A, 2.)

SECT. 43B added, 1950, 210 (prescribing the use of uniform official blanks in certain district courts).

SECT. 52, third sentence amended, 1948, 398 § 2; last sentence revised, 1949, 462.

SECT. 53, first sentence revised, 1950, 245; first paragraph amended, 1948, 642 § 2; paragraph added after the first paragraph, 1936, 230.

SECT. 53A added, 1951, 604 § 3 (relative to the appointment and salaries of temporary assistant clerks in the Boston Municipal Court).

SECT. 58 revised, 1936, 282 § 2. (See 1936, 282 § 3.)

SECT. 59, paragraph added at end, 1948, 248 § 1.

SECT. 62 amended,* 1932, 235 § 1; revised,* 1932, 247 § 1; amended, 1935, 71 § 1; 1937, 298; revised, 1939, 305; amended, 1941, 309 § 3, 348; 1945, 294; 1946, 264 § 1, 300; 1949, 668; 1953, 138 § 1. (See 1935, 71 § 2; 1946, 264 § 2; 1953, 138 § 2.)

SECT. 63 revised, 1935, 341.

SECT. 65, last sentence stricken out, 1949, 621.

SECT. 75 revised, 1946, 609 § 1; 1951, 749 § 1. (See 1946, 609 § 3.)

SECT. 75A added, 1946, 512 § 2 (relative to the compensation of clerks and assistant clerks of the municipal court of the city of Boston); revised, 1946, 609 § 2; 1949, 261; 1951, 749 § 2. (See 1946, 512 § 3; 609 § 3.)

SECT. 76 amended, 1932, 269 § 1; 1935, 366 § 1; 1937, 378 § 1; revised, 1939, 451 § 60; amended, 1945, 476 § 1; 1946, 453; 498 § 1; revised, 1946, 530, 578; amended, 1946, 600; revised, 1947, 576; 1948, 667 § 1; 1949, 461 § 1; 1951, 768 § 1A. (See 1935, 366 § 3; 1945, 476 § 2; 1948, 667 §§ 6, 7; 1949, 461 § 2; 1951, 768 § 3B; 1952, 114 § 1.)

SECT. 77 revised, 1937, 294; 1948, 667 § 2; 1951, 768 § 1. (See 1948, 667 § 5A; 1949, 312 § 2; 1951, 768 § 3B; 1952, 114 § 1.)

SECT. 77A added, 1948, 656 § 1 (relative to the salaries and retirement of justices and clerks in the district court of Springfield, the central district court of Worcester and the first and third district courts of eastern Middlesex); sentence inserted after first sentence, 1949, 805 § 1; amended, 1951, 762 § 2; revised, 1951, 768 § 2; amended, 1952, 603 § 1. (See 1948, 656 §§ 2, 3; 1949, 805 § 3; 1951, 768 § 3B; 1952, 114; 1953, 298, 380.)

SECT. 78 revised, 1948, 667 § 3; sentence inserted before first sentence, 1949, 710; section amended, 1949, 312 § 1, 805 § 2, 611, 482; 1951, 762 § 3; revised, 1951, 768 § 3; amended, 1952, 603 § 2; 1953, 453. (See 1948, 667 §§ 6, 7; 1949, 312 § 2, 805 § 3; 1951, 768 § 3B; 1952, 114 § 1.)

SECT. 79 amended, 1941, 309 § 2; revised, 1941, 447 § 2; amended, 1943, 136 § 2; revised, 1948, 667 § 4. (See 1941, 447 §§ 4, 5; 1943, 136 § 3; 1948, 667 §§ 6, 7; 1953, 421.)

SECT. 80, sentence added at end, 1935, 366 § 2; section amended, 1936, 229 § 1; 1937, 378 § 2; revised, 1941, 447 § 3; amended, 1946, 498 § 2; revised, 1948, 667 § 5; 1949, 799; 1951, 768 § 3A. (See 1935,

* Void for non-acceptance.

366 § 3; 1936, 229 § 2; 1941, 447 §§ 4, 5; 1948, 667 §§ 6, 7; 1951, 768 § 3B; 1952, 114 § 1.)

SECT. 80A added, 1947, 400 § 2 (relative to the salaries of the secretary and assistant secretary to the justices of the municipal court of the city of Boston); revised, 1951, 288 § 1. (See 1947, 400 §§ 3, 4; 1951, 288 § 2.)

SECT. 81 revised, 1939, 296 § 1. (See 1939, 296 § 3.)

SECT. 82A added, 1945, 486 § 1 (relative to salaries of court officers of the municipal court of the city of Boston); revised, 1949, 381; 1951, 788 § 1. (See 1945, 486 § 3; 1951, 788 § 2.)

Chapter 219.—Trial Justices.

Chapter repealed, 1953, 319 § 1. (See 1953, 319 §§ 39, 40.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

Chapter 220. — Courts and Naturalization.

SECT. 2 amended, 1953, 319 § 25. (See 1953, 319 §§ 39, 40.)

SECT. 6 revised, 1947, 449 § 6. (See 1947, 449 § 7.)

SECT. 13 amended, 1953, 319 § 26. (See 1953, 319 §§ 39, 40.)

SECTS. 13A and 13B added, 1935, 407 § 5 (regulating procedure in trials for contempt arising out of disobedience to decrees or process of courts in labor dispute cases). (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (h) inserted by 1938, 345 § 2.)

SECT. 14A added, 1936, 206 § 1 (relative to the time within which certain justices shall render their decisions). (See 1936, 206 § 2.)

SECTS. 16 and 17 repealed, 1932, 144 § 3.

SECT. 19 repealed, 1932, 16.

Chapter 221. — Clerks, Attorneys and Other Officers of Judicial Courts.

SECT. 4 amended, 1935, 89 § 1; 1937, 158 § 1; 1943, 336 § 1; revised, 1946, 248 § 1. (See 1935, 89 § 2; 1937, 158 § 2; 1943, 336 § 3.)

SECT. 5 amended, 1932, 51; 1943, 336 § 2; fifth paragraph revised, 1951, 228; sixth paragraph revised, 1949, 379; 1950, 324. (See 1943, 336 § 3.)

SECT. 6 amended, 1954, 342 § 1.

SECT. 6A added, 1947, 443 (providing for the appointment of an equity clerk of the superior court for the county of Middlesex); revised, 1949, 774 § 3. (See 1949, 774 § 5.)

SECT. 6B added, 1953, 300 (providing for the designation of an assistant clerk to perform duties of equity clerk in the superior court for the county of Essex).

SECT. 12 revised, 1937, 219 § 4; 1939, 214 § 6.

SECT. 24 revised, 1936, 31 § 3.

SECT. 25 stricken out, 1953, 319 § 27. (See 1953, 319 §§ 39, 40.)

SECT. 27 revised, 1939, 157 § 2. (See 1939, 157 § 4.)

SECT. 27A added, 1939, 157 § 3 (relative to the disposal of certain obsolete and useless papers of courts); revised, 1945, 323 § 1; amended, 1946, 150; subdivision (1) of first paragraph revised, 1952, 276 § 1. (See 1939, 157 § 4; 1945, 323 § 2.)

SECT. 34C amended, 1947, 601.

SECT. 35 amended, 1949, 574 § 1.

SECT. 36 amended, 1945, 157.

SECT. 36A added, 1945, 261 (relative to educational requirements for admission to the bar of persons serving in the armed forces in World War II).

SECT. 43 revised, 1939, 197 § 1.

SECTS. 44A and 44B added, 1939, 197 § 2 (prohibiting employees and other persons connected with hospitals from furnishing certain information about certain personal injury cases to attorneys at law).

SECT. 44A amended, 1943, 293.

SECT. 46 revised, 1935, 346 § 1.

SECTS. 46A and 46B added, 1935, 346 § 2 (prohibiting individuals not members of the bar from practising law or attempting so to do and providing a means of restraining unauthorized practice of law).

SECT. 46B amended, 1947, 75.

SECT. 47 repealed, 1935, 346 § 3.

SECT. 49 repealed, 1935, 346 § 3.

SECT. 50 stricken out, and sections 50, 50A, 50B inserted, 1945, 397 § 1. (See 1945, 397 § 3.)

SECT. 53 amended, 1939, 151; 1954, 385 § 1. (See 1954, 385 § 2.)

SECT. 58 amended, 1932, 40 § 1.

SECT. 60 repealed, 1932, 40 § 2.

SECT. 63 amended, 1939, 6 § 1. (See 1939, 6 §§ 2, 3.)

SECT. 68 amended, 1946, 591 § 46A; 1952, 588.

SECT. 70 amended and paragraph inserted after second paragraph, 1954, 172 § 1.

SECT. 71A added, 1949, 177 (establishing the office of assistant chief deputy sheriff for attendance upon the superior court in Suffolk County).

SECT. 73 revised, 1935, 182 § 2; 1938, 347 § 2; 1941, 448 § 1; 1945, 388 § 1; 1946, 427 § 1; amended, 1946, 593 § 1; revised, 1949, 718; first sentence revised, 1951, 792. (See 1935, 182 §§ 5, 6; 1938, 347 § 3; 1941, 448 § 3; 1945, 388 § 3; 1946, 593 § 2.)

SECT. 73A added, 1938, 347 § 2; amended, 1941, 448 § 2; repealed, 1945, 388 § 2. (See 1938, 347 § 3; 1941, 448 § 3.)

SECT. 76 revised, 1935, 182 § 3; first sentence stricken out and two new sentences added, 1939, 258 § 1; second and third sentences revised, 1939, 165 § 2. (See 1935, 182 §§ 5, 6; 1939, 165 § 3, 258 § 2.)

SECT. 76A added, 1945, 179 § 1 (providing for the appointment of an assistant messenger of the superior court in Suffolk county).

SECT. 77 revised, 1951, 120; amended, 1954, 172 § 2.

SECT. 80 amended, 1935, 182 § 4; 1954, 172 § 3. (See 1935, 182 § 6.)

SECT. 88 amended, 1947, 179.

SECT. 90A, last sentence revised, 1951, 82.

SECT. 91 revised, 1947, 469 § 2. (See 1947, 469 §§ 4, 5.)

SECT. 91A added, 1947, 469 § 3 (relative to establishing salaries of official stenographers and compensation of additional stenographers and temporary stenographers of the superior court in the county of Suffolk). (See 1947, 469 §§ 4, 5.)

SECT. 93 amended, 1945, 515; revised, 1951, 559.

SECT. 94, first sentence amended, 1932, 180 § 39; section revised, 1946, 262 § 2; amended, 1947, 290 § 2; revised, 1948, 183 § 2; fourth sentence revised, 1949, 221; section revised, 1949, 774 § 2. (See 1946, 262 §§ 4, 5; 1949, 774 § 5.)

SECT. 94A added, 1946, 262 § 3 (relative to the salaries of the clerk and assistant clerks of the superior court for civil business in the county of Suffolk); repealed, 1949, 774 § 4. (See 1946, 262 §§ 4, 5; 1949, 774 § 5.)

Chapter 222. — Justices of the Peace, Notaries Public and Commissioners.

SECT. 8 amended, 1947, 256 § 1.

SECT. 8A added, 1952, 184 § 1 (relative to printing or typing names of persons whose signatures appear on certain instruments filed in probate courts). (See 1952, 184 § 4.)

SECT. 11 added, 1953, 191 (relative to the acknowledgment of written instruments by persons serving in or with the armed forces of the United States.)

Chapter 223. — Commencement of Actions, Service of Process.

SECT. 2 revised, 1934, 387 § 2; last sentence of first paragraph revised, 1943, 296 § 2; 1954, 616 § 2. (See 1934, 387 § 5; 1943, 296 § 6, 437; 1954, 616 § 5.)

SECT. 2A added, 1935, 483 § 1 (providing for trial together of two or more actions arising out of the same motor vehicle accident pending in district courts). (See 1935, 483 §§ 2, 3.) Section stricken out and new sections 2A–2C inserted, 1943, 369 § 1 (relative to the trial and disposition of certain actions and proceedings pending in different courts). (See 1943, 369 § 2.)

SECT. 2A revised, 1952, 460.

SECT. 2B amended, 1945, 373 § 1. (See 1945, 373 § 2.)

SECT. 8A added, 1947, 488 § 6 (relative to transitory actions by or against subscribers to a reciprocal or inter-insurance exchange).

SECT. 19A added, 1947, 488 § 7 (providing that actions by or against subscribers to a reciprocal or inter-insurance exchange shall be brought in the name under which the contracts are issued).

SECT. 24 amended, 1938, 115 § 2.

SECT. 37, last sentence stricken out and new paragraph added at end, 1945, 306 § 1; same paragraph amended, 1948, 308. (See 1945, 306 § 2.)

SECT. 38 amended, 1939, 451 § 61.

SECT. 39B added, 1947, 488 § 8 (providing that, in actions against subscribers of a domestic reciprocal or inter-insurance exchange, service may be made upon the attorney in fact if a domestic exchange).

SECT. 42 amended, 1937, 295 § 1.

SECT. 42A added, 1943, 234 § 1 (relative to the amount for which attachments may be made on liquidated claims). (See 1943, 234 § 3.)

SECT. 44A added, 1937, 295 § 2 (further regulating the attachment of motor vehicles on mesne process in actions of contract).

SECT. 45A, sentence added at end, 1954, 181.

SECT. 48 revised, 1937, 308; amended, 1938, 348 § 1. (See 1938, 348 § 2.)

SECT. 51 revised, 1948, 550 § 43.

SECT. 62, sentence added at end, 1947, 105.

SECT. 65 revised, 1953, 338 § 1. (See 1953, 338 § 5.)

SECT. 74 revised, 1943, 298 § 1. (See 1943, 298 § 10.)

SECT. 75 revised, 1943, 298 § 2. (See 1943, 298 § 10.)

SECT. 76 revised, 1943, 298 § 3. (See 1943, 298 § 10.)

SECT. 78 revised, 1943, 298 § 4. (See 1943, 298 § 10.)

SECT. 79 revised, 1943, 298 § 5. (See 1943, 298 § 10.)

SECT. 80 revised, 1943, 298 § 6. (See 1943, 298 § 10.)

SECT. 81 revised, 1943, 298 § 7. (See 1943, 298 § 10.)

SECT. 82 revised, 1943, 298 § 8. (See 1943, 298 § 10.)

SECT. 83A added, 1943, 298 § 9 (providing that sections 74-83 shall not apply to conditional sales, notices of which are recordable under G. L. 184 § 13). (See 1943, 298 § 10.)

SECT. 114 amended, 1938, 325 § 1; revised, 1943, 234 § 2. (See 1938, 325 § 2; 1943, 234 § 3.)

SECT. 114A added, 1945, 339 § 1 (relative to the dissolution of certain real estate attachments by operation of law); last sentence revised, 1953, 338 § 2. (See 1945, 339 § 2; 1952, 246; 1953, 338 § 5.)

SECT. 132 revised, 1953, 338 § 3. (See 1953, 338 § 5.)

Chapter 224. — Arrest on Mesne Process and Supplementary Proceedings in Civil Actions.

SECT. 12 amended, 1945, 101 § 1.

SECT. 16 amended, 1943, 292 § 1. (See 1943, 292 § 2.)

SECT. 18, paragraph inserted after first paragraph, 1946, 177.

Chapter 226. — Bail.

SECT. 23 amended, 1945, 101 § 2.

Chapter 227. — Proceedings against Absent Defendants and upon Insufficient Service.

SECT. 1 amended, 1949, 612 § 1.

SECT. 5A added, 1949, 612 § 2 (relative to the service of process on certain non-residents doing business in the commonwealth).

Chapter 228. — Survival of Actions and Death and Disabilities of Parties.

SECT. 1 revised, 1934, 300 § 1. (See 1934, 300 § 2.)

SECT. 5 amended, 1933, 221 § 7; revised, 1937, 406 § 1; amended, 1950, 391. Affected, 1938, 16. (See 1933, 221 § 8.)

Chapter 229. — Actions for Death and Injuries Resulting in Death.

SECT. 1 revised, 1943, 444 § 1.

SECT. 2 amended, 1941, 460 § 1, 504 § 1.

SECT. 3, first sentence revised, 1941, 460 § 2; section amended, 1941, 504 § 2.

SECT. 5 amended, 1937, 406 § 3; 1941, 504 § 3.

SECTS. 1-5 stricken out and sections 1 and 2 inserted, 1946, 614 § 1. (See 1946, 614 § 7.)

SECT. 1 amended, 1947, 506 § 1; revised, 1949, 427 § 1. (See 1947, 506 §§ 3, 3A; 1949, 427 § 11.)

SECT. 2 revised, 1947, 506 § 1A; 1949, 427 § 2. (See 1947, 506 §§ 3, 3A; 1949, 427 § 11.)

SECTS. 2A-2C added, 1949, 427 § 3 (relative to actions against certain corporations and others for death and injuries resulting in death). (See 1949, 427 § 11.)

SECT. 2C amended, 1951, 250.

SECT. 5A added, 1938, 278 § 1 (to permit recovery in certain death cases notwithstanding that the death of the tortfeasor occurred before that of the person whose death he caused); amended, 1946, 614 § 2; revised, 1949, 427 § 4. (See 1938, 278 § 2; 1946, 614 § 7; 1949, 427 § 11.)

SECT. 6 amended, 1939, 451 § 62; revised, 1946, 614 § 3; 1947, 506 § 2; 1949, 427 § 5. (See 1946, 614 § 7; 1947, 506 § 3, 3A; 1949, 427 § 11.)

SECTS. 6A and 6B added, 1943, 444 § 2 (relative to the disposition of money recovered in certain actions for death).

SECT. 6A revised, 1946, 614 § 4; 1949, 427 § 6. (See 1946, 614 § 7; 1949, 427 § 11.)

SECT. 6B amended, 1946, 614 § 5; revised, 1949, 427 § 6. (See 1946, 614 § 7; 1949, 427 § 11.)

SECTS. 6C-6F added, 1949, 427 § 7 (relative to actions against certain employers for death and injuries resulting in death). (See 1949, 427 § 11.)

SECTS. 7 and 8 repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

SECT. 9 amended, 1941, 504 § 4; repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

SECT. 10 repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

Chapter 230. — Actions By and Against Executors and Administrators.

SECT. 5 amended, 1934, 116.

Chapter 231. — Pleading and Practice.

SECT. 1A added, 1951, 403 (relative to the commencement of actions arising out of tort and contract).

SECT. 4A added, 1943, 350 § 1 (providing for the joinder of parties in one action in certain cases); sentence inserted after first sentence, 1947, 408 § 1. (See 1943, 350 §§ 3, 4; 1947, 408 § 2.)

SECT. 5 amended, 1945, 141 § 2.

SECT. 6A added, 1939, 372 § 1 (relative to the recovery of certain medical expenses by the husband of a married woman or the parent or guardian of a minor, in actions to recover for personal injuries by married women and minors). (See 1939, 372 § 2.)

SECT. 6B added, 1946, 212 § 1 (providing for interest from the date of the writ in certain civil actions); amended, 1951, 244. (See 1946, 212 § 3.)

SECT. 7, clause Sixth revised, 1939, 67 § 1. (See 1939, 67 § 2.)

SECT. 30 amended, 1949, 179.

SECT. 55 amended, 1935, 318 § 6. (See 1935, 318 § 8.)

SECT. 59C added, under caption "SPEEDY TRIAL OF CERTAIN ACTIONS FOR MALPRACTICE, ERROR OR MISTAKE", 1935, 118 § 1 (relative to the advancement for speedy trial in the superior court of actions against physicians and others for malpractice, error or mistake). (See 1935, 118 § 2.)

SECT. 59D added, 1952, 139 (providing speedy trials of certain actions under election laws).

SECT. 63 amended, 1932, 84 § 1.

SECT. 69 amended, 1932, 177 § 1; revised, 1946, 450. (See 1932, 177 § 2.)

SECT. 73 repealed, 1932, 180 § 40.

SECT. 78 repealed, 1932, 180 § 40.

SECT. 84A added, 1933, 247 § 1 (relative to the joint trial in the superior court of actions involving the same subject matter). (See 1933, 247 § 2.)

SECT. 85 revised, 1947, 386 § 1; 1952, 533 § 1. (See 1947, 386 § 2; 1952, 533 § 2.)

SECTS. 85B and 85C added, 1937, 439 § 1 (relative to procedure in certain actions to recover damages arising out of motor vehicle accidents and in suits by judgment creditors in actions to reach and apply the proceeds of motor vehicle liability policies and in actions to recover on motor vehicle liability bonds). (See 1937, 439 § 2.)

SECT. 85D added, 1945, 352 § 1 (providing that negligence of parent or custodian shall not be imputed to an infant because of such parenthood or custodianship). (See 1945, 352 §§ 3, 4.)

SECT. 91 revised, 1943, 365 § 1. (See 1943, 365 § 2.)

SECT. 93 revised, 1943, 360.

SECT. 94 amended, 1943, 361.

SECT. 94A added, 1953, 169 (relative to defences in actions for false arrest or imprisonment).

SECT. 96A added, 1945, 530 § 1 (relative to the filing of bills of exceptions in suits in equity); repealed, 1947, 361. (See 1945, 530 § 2; 1946, 94, 610 § 2; 1947, 97 § 2.)

SECT. 102A added, 1934, 387 § 3 (relative to the removal to the superior court of an action of tort arising out of the operation of a motor vehicle); amended, 1937, 133 § 1; revised, 1938, 338 § 1; first paragraph amended, 1941, 203 § 1; second paragraph amended, 1941, 203 § 2; section repealed, 1943, 296 § 3. (See 1934, 387 § 5; 1937, 133 § 2; 1938, 338 § 2; 1941, 203 § 3; 1943, 296 § 6.)

SECT. 102B added, 1954, 616 § 3 (relative to the removal to the superior court of an action of tort arising out of the operation of a motor vehicle). (See 1954, 616 § 5.)

SECT. 104 amended, 1950, 500 § 2.

SECT. 107 revised, 1943, 296 § 4. (See 1943, 296 § 6.)

SECT. 108, second paragraph revised, 1939, 382; amended, 1948, 322; revised, 1949, 683; second sentence of third paragraph revised, 1933, 255 § 1. (See 1933, 255 § 2.)

SECT. 113, two sentences added at end, 1945, 328.

SECT. 115 amended, 1939, 451 § 63.

SECT. 125A added, 1949, 171 § 1 (relative to the further report of material facts in equity and probate appeals when evidence is not reported).

SECT. 127, sentence added at end, 1945, 578 § 1. (See 1945, 578 § 3.)

SECT. 128 amended, 1945, 578 § 2. (See 1945, 578 § 3.)

SECT. 133 amended, 1933, 300 § 2. (See 1933, 300 § 4.)

SECT. 135, two paragraphs inserted after first paragraph, 1941, 187 § 1. (See 1941, 187 § 2.)

SECT. 140A added, 1932, 130 § 1 (relative to the effect of a settlement by agreement of an action of tort growing out of a motor vehicle

accident upon the right of a defendant in such action to maintain a cross action); revised, 1947, 431 § 1. (See 1947, 431 § 2.)

SECT. 141 amended, 1932, 130 § 2; 1933, 300 § 3; 1934, 387 § 4; 1943, 296 § 5, 350 § 2; 1945, 352 § 2; 1946, 212 § 2; 1954, 616 § 4. (See 1933, 300 § 4; 1934, 387 § 5; 1943, 296 § 6, 350 §§ 3, 4; 1946, 212 § 3; 1954, 616 § 5.)

SECT. 142 amended, 1935, 318 § 7. (See 1935, 318 § 8.)

SECT. 145 amended, 1939, 451 § 64; 1953, 104.

SECT. 147, Form 8 repealed, 1938, 350 § 2.

Chapter 231A. — Procedure for Declaratory Judgments.

New chapter inserted, 1945, 582 § 1. (See 1945, 582 § 5.)

Chapter 233. — Witnesses and Evidence.

SECT. 1 revised, 1945, 250 § 2.

SECT. 3A added, 1933, 262 (authorizing the commissioner of banks to respond to summonses or subpoenas by an employee or other assistant in his department).

SECT. 8 amended, 1933, 269 § 3, 376 § 3; 1949, 292.

SECTS. 13A-13D added, 1937, 210 § 1 (making uniform the law securing the attendance of witnesses from without a state in criminal proceedings). (See 1937, 210 § 2.)

SECT. 20, second paragraph revised, 1951, 657 § 3.

SECT. 21, paragraph Second revised, 1950, 426.

SECT. 21A added, 1947, 410 § 1 (making admissible evidence relating to the reputation of a person in a group with whom he habitually associates). (See 1947, 410 § 2.)

SECT. 22 amended, 1932, 97 § 1.

SECT. 23A added, 1945, 424 § 1 (relative to the admissibility in evidence of written statements obtained from persons sustaining personal injuries in accidents); amended, 1953, 242. (See 1945, 424 § 2.)

SECT. 26 amended, 1932, 71 § 1.

SECT. 29 amended, 1932, 71 § 2.

SECT. 30 amended, 1932, 71 § 3.

SECT. 32 amended, 1932, 71 § 4.

SECT. 33 amended, 1932, 71 § 5.

SECT. 34 amended, 1932, 71 § 6.

SECT. 45 amended, 1932, 71 § 7.

SECT. 46 amended, 1932, 71 § 8.

SECT. 47 amended, 1932, 71 § 9.

SECT. 48 amended, 1932, 71 § 10.

SECT. 49 amended, 1932, 71 § 11.

SECT. 65 amended, 1941, 363 § 1; 1943, 105 § 1; revised, 1943, 232 § 1. (See 1941, 363 § 2; 1943, 105 § 2, 232 § 2.)

SECT. 75, sentence added at end, 1943, 190 § 1. (See 1943, 190 § 2.)

SECT. 76A added, 1938, 213 § 1 (relative to the use of authenticated copies of certain papers and documents filed with the federal securities and exchange commission). (See 1938, 213 § 2.)

SECT. 76B added, 1954, 292 (relative to the use of printed copies of schedules on file with the interstate commerce commission as evidence).

SECT. 78 revised, 1954, 442 § 1. (See 1954, 442 § 2.)

SECT. 79 revised, 1941, 389 § 2; amended, 1943, 233 § 1; 1946, 473 § 1; 1948, 74. (See 1943, 233 § 2; 1946, 473 § 2.)

SECT. 79A added, 1941, 662 § 2 (relative to the use in evidence of photographic and microphotographic records and copies); amended, 1948, 154.

SECT. 79B added, 1947, 385 § 1 (making admissible in evidence in civil cases certain publicly issued compilations of facts and statistics). (See 1947, 385 § 2.)

SECT. 79C added, 1949, 183 § 1 (making admissible in evidence in cases of contract or tort for malpractice certain statements of recognized experts contained in certain publications). (See 1949, 183 § 2.)

SECT. 79D added, 1949, 240 (making admissible in evidence certain copies of newspapers and documents made by the photographic or microphotographic process).

SECT. 79E added, 1952, 120 (relative to the admissibility in evidence of business and public records).

SECT. 79F added, 1952, 476 (relating to proof of the existence of a public way).

Chapter 234. — Juries.

SECT. 1 amended, 1935, 257 § 11; 1936, 25; revised, 1949, 347 § 1. (See 1935, 257 § 12; 1949, 347 § 5.)

SECT. 1A added, 1949, 347 § 2 (relative to excusing certain persons from jury service). (See 1949, 347 § 5.)

SECT. 4, first paragraph revised, 1949, 347 § 3. (See 1949, 347 § 5.)

SECT. 11 amended, 1934, 150.

SECT. 15 repealed, 1936, 161 § 1. (See 1936, 161 § 3.)

SECT. 24 amended, 1941, 90.

SECTS. 25 and 26 stricken out, and sections 25, 26, 26A, 26B inserted, 1945, 428 § 1 (providing for emergency jurors and for the waiver of a full jury). (See 1945, 428 § 3.)

SECT. 25, third sentence amended, 1949, 347 § 4. (See 1949, 347 § 5.)

SECT. 29 revised, 1945, 428 § 2. (See 1945, 428 § 3.)

Chapter 235. — Judgment and Execution.

SECT. 17, paragraph added at end, 1948, 113.

SECT. 34, clause Second amended, 1951, 35.

Chapter 236. — Levy of Executions on Land.

SECT. 5 revised, 1953, 338 § 4. (See 1953, 338 § 5.)

SECT. 18 revised, 1939, 32 § 4. (See 1939, 32 § 5.)

SECT. 49A added, 1953, 455 § 1 (relative to the dissolution of certain levies on execution on real estate by operation of law). (See 1953, 455 § 2.)

Chapter 239. — Summary Process for Possession of Land.

SECT. 1 amended, 1941, 242 § 1; first sentence amended, 1952, 151 § 1; 1953, 106.

SECT. 5 revised, 1946, 175 § 1. (See 1946, 175 § 2.)

SECT. 6, two sentences added at end, 1952, 151 § 2.

SECT. 6A added, 1941, 242 § 2 (relative to conditions of bonds in actions of summary process for recovery of possession of land after tax title foreclosures).

SECTS. 9-13 affected, 1941, 700; 1946, 43; 1947, 78; 1948, 2; 1949, 87; 1950, 33, 301; 1951, 30; 1952, 25.

SECT. 9 amended, 1953, 485.

Chapter 240. — Proceedings for Settlement of Title to Land.

SECT. 14A added, 1934, 263 § 2 (providing for determination by the land court by declaratory judgment as to the validity and extent of municipal zoning ordinances, by-laws and regulations).

Chapter 241. — Partition of Land.

SECT. 34 revised, 1950, 64 § 2; 1954, 312 § 2.

Chapter 244. — Foreclosure and Redemption of Mortgages.

For legislation concerning judicial determination of rights to foreclose real estate mortgages in which soldiers or sailors may be interested, see 1941, 25; 1943, 57; 1945, 120.

SECT. 15, sentence added at end, 1946, 204.

SECTS. 17A-17C added, 1945, 604 § 1 (relative to actions for deficiencies on mortgage notes following foreclosures, etc.). (See 1945, 604 § 2.)

Chapter 246. — Trustee Process.

SECT. 1 revised, 1938, 303 § 1; amended, 1943, 17 § 1. (See 1938, 303 § 2; 1943, 17 § 2.)

SECT. 28 revised, 1935, 410 § 1; 1941, 338 § 1; amended, 1947, 264 § 1; 1951, 78. (See 1935, 410 §§ 2, 3; 1941, 338 § 2; 1947, 264 § 2.)

SECT. 32, paragraph Eighth added at end, 1938, 343; revised, 1950, 260, 558; 1954, 467.

Chapter 249. — Audita Querela, Certiorari, Mandamus and Quo Warranto.

SECT. 4 amended, 1943, 374 § 1; sentence added at end, 1953, 586 § 1. (See 1939, 257; 1941, 28, 180; 1943, 374 §§ 3, 4; 1953, 586 § 2.)

SECT. 5 amended, 1938, 202; 1943, 374 § 2; 1949, 176. (See 1939, 257; 1941, 28, 180; 1943, 374 § 4.)

Chapter 250. — Writs of Error, Vacating Judgment, Writs of Review.

SECT. 16 amended, 1933, 244 § 1. (See 1933, 244 § 2.)

Chapter 252. — Improvement of Low Land and Swamps.

SECT. 22 revised, 1948, 550 § 44.

SECT. 24 added, 1948, 391 § 1 (providing for the establishment of greenhead fly control projects); revised, 1954, 388 § 1. (See 1948, 391 § 2; 1954, 388 § 2.)

Chapter 254. — Liens on Buildings and Land.

SECT. 5 amended, 1954, 461 § 2. (See 1954, 461 §§ 3, 4.)

SECT. 30 added, 1953, 405 § 1 (providing for the recording of liens for labor and notices of contract by the registers of deeds).

Chapter 255. — Mortgages, Conditional Sales and Pledges of Personal Property, and Liens thereon.

SECT. 1. See 1933, 142 (recording of federal crop loans to farmers). See also 1936, 264 subsection 20 (relative to trust receipt and pledge transactions).

SECT. 3 amended, 1935, 86 § 2; revised, 1948, 550 § 45; 1949, 404 § 4.

SECTS. 7A-7E added, 1935, 86 § 1 (relative to the mortgaging of crops and certain other classes of personal property).

SECT. 11 revised, 1939, 509 § 1.

SECT. 12 revised, 1939, 509 § 1; 1943, 410 § 1. (See 1943, 410 § 2.)

SECT. 12A added, 1950, 81 (providing that notice relative to finance charges be printed in certain contracts of sale).

SECT. 13 revised, 1939, 509 § 1; amended, 1941, 285.

SECT. 13A added, 1935, 348 § 1 (regulating conditional sales of motor vehicles); revised, 1939, 509 § 1. (See 1935, 348 § 2.)

SECT. 13B added, 1935, 396 (relative to certain contracts of conditional sale of household or personal effects).

SECTS. 13C and 13D added, 1937, 315 (relative to contracts of conditional sale of household furniture or other household or personal effects except jewelry).

SECT. 13C revised, 1938, 367.

SECT. 13C and 13D stricken out, and new sections 13C-13G inserted, 1939, 509 § 2.

SECT. 13H added, 1941, 468 (relative to conditional sales of textile and other machinery, seats for theatres and other places of public assembly, and parts, accessories, appliances and equipment therefor).

SECT. 15 revised, 1948, 550 § 46.

SECT. 25A added, 1950, 326 § 9 (relative to liens on trailer coaches for certain charges).

SECT. 26 amended, 1950, 326 § 10.

SECT. 27 amended, 1950, 326 § 11.

SECT. 31 revised, 1950, 326 § 12.

SECT. 31D added, 1945, 607 (creating a lien in favor of certain persons performing work upon, or storing articles of clothing or household goods).

SECT. 31E added, 1948, 637 § 12 (creating a lien in favor of certain persons for proper charges due them for landing, parking, etc., of aircraft). (See 1948, 637 §§ 9, 13.)

SECT. 35 amended, 1938, 83 § 1. (See 1938, 83 § 2.)

SECT. 39A added, 1954, 585 (providing for the sale by garage owners of certain motor vehicles placed for storage and not claimed within a certain period).

SECTS. 40-47 added, 1945, 285 (providing for the creation of liens upon merchandise without the necessity of custody or possession in the lien).

SECT. 40 amended, 1946, 514 § 1; revised, 1947, 273 § 1.

SECT. 41, first paragraph amended, 1946, 514 § 2; section revised, 1947, 273 § 2.

SECT. 42 revised, 1947, 273 § 3; last sentence revised, 1950, 454 § 1.

SECT. 43 revised, 1947, 273 § 4.

SECT. 44 revised, 1947, 273 § 5; amended, 1950, 454 § 2.

SECT. 45 amended, 1947, 273 § 6.

Chapter 255A. — Trust Receipts and Pledges without Possession in the Pledgee.

New chapter inserted, 1936, 264.

SECT. 13, subsection 3 amended, 1951, 445.

Chapter 258. — Claims against the Commonwealth.

SECT. 3 revised, 1932, 180 § 41; 1951, 518.

SECT. 4A added, 1945, 552 (to prevent the running of interest on claims against the commonwealth after an offer of judgment).

SECT. 5 repealed, 1943, 566 § 2.

Chapter 260. — Limitation of Actions.

SECT. 2 revised, 1948, 274 § 1. (See 1948, 274 § 3.)

SECT. 2A added, 1948, 274 § 2 (further limiting the time within which actions of replevin, and certain actions of contract and tort, may be commenced). (See 1948, 274 § 3.)

SECT. 3A added, 1943, 566 § 1 (limiting the time within which petitions founded upon claims against the commonwealth may be brought).

SECT. 4 amended, 1933, 318 § 5; 1934, 291 § 4; 1937, 385 § 9; paragraph added at end, 1943, 409 § 4. (See 1933, 318 § 9; 1934, 291 § 6; 1937, 385 § 10.)

SECT. 4A added, 1947, 333 § 1 (limiting the time within which certain actions to recover back wages may be commenced). (See 1947, 333 § 2.)

SECT. 4B added, 1949, 531 (relative to the commencement of actions arising out of motor vehicle hit and run accidents, so called); amended, 1954, 107.

SECT. 10, sentence added at end, 1937, 406 § 2.

Chapter 261. — Costs in Civil Actions.

SECT. 4 amended, 1937, 44 § 1. (See 1937, 44 § 2; 1943, 296 §§ 3, 6.)

Chapter 262. — Fees of Certain Officers.

SECT. 1, paragraph 6 amended, 1948, 295; revised, 1949, 129; amended, 1951, 40.

SECT. 2 revised, 1939, 345 § 1; third paragraph amended, 1950, 119 § 1; section revised, 1954, 328 § 2; paragraph inserted after third paragraph, 1954, 556 § 5. (See 1939, 345 § 3; 1954, 328 § 4, 556 §§ 8, 10.)

SECT. 4 amended, 1954, 328 § 3; sixth paragraph revised, 1950, 119 § 2; 1953, 632; amended, 1954, 582; seventh paragraph amended, 1937, 188; seventh to tenth paragraphs stricken out, 1939, 345 § 2; paragraph in lines 30-31 revised, 1954, 624. (See 1939, 345 § 3; 1954, 328 § 4.)

SECT. 5 amended, 1933, 201.

SECT. 8 revised, 1947, 135; paragraph added at end, 1954, 556 § 6.

SECT. 23 amended, 1953, 96.

SECT. 24 amended, 1953, 89.

SECT. 25 amended, 1933, 162; 1934, 141; 1945, 236 § 1; 1949, 335.
(See 1945, 236 § 2.)

SECT. 29 amended, 1949, 697.

SECT. 32 revised, 1935, 280.

SECT. 34 amended, 1933, 21; revised, 1948, 550 § 1; clauses (5)-(10), (26), (37)-(41), (70), (71), (73) and (77) stricken out, 1949, 297 § 1; clauses (17)-(19) stricken out, 1949, 404 § 3; clause (21) revised, 1952, 32 § 2; clauses (47) and (48) revised, 1949, 404 § 1; clause (56) amended, 1951, 58; clause (69) revised, 1953, 164 § 3; clause (79) revised, 1949, 404 § 2.

SECT. 34A added, 1938, 380 (authorizing the charging of certain fees by city and town clerks or registrars for the expense of the examination or copying by them of records of births, marriages and deaths); revised, 1948, 550 § 47.

SECT. 36 revised, 1952, 301.

SECT. 38, second paragraph amended, 1937, 97; two paragraphs inserted after paragraph in line 23, 1945, 569 § 2; section revised, 1946, 353 § 1; second paragraph amended, 1951, 179; paragraph inserted after third paragraph, 1950, 539 § 2; section revised, 1953, 348 § 1.

SECT. 39, paragraph in lines 15, 16 amended, 1945, 522; paragraph added at end, 1939, 13; section revised, 1946, 353 § 2; 1950, 589; 1953, 348 § 2.

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SECT. 3A added, 1934, 247 (concerning the service of search warrants).

SECT. 7 amended, 1934, 235 § 2.

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SECTS. 10A-10D added, under caption "EXTRA-TERRITORIAL ARREST ON FRESH PURSUIT", 1937, 208 § 1 (making uniform the law as to extra-territorial arrest on fresh pursuit and authorizing this commonwealth to co-operate with other states in connection therewith). (See 1937, 208 § 2.)

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SECT. 37A added, 1932, 180 § 43 (relative to the assignment of counsel to appear, on behalf of a person accused of a capital crime, at his preliminary examination). [For prior legislation, see G. L. chapter 277 §§ 48, 49, repealed by 1932, 180 § 44.]

SECT. 52A added, 1943, 131 (providing that persons held in jail for trial may be removed in certain cases to a jail in another county).

SECT. 57, first paragraph amended, 1953, 319 § 33; sentence added at end of second paragraph, 1943, 330; same paragraph revised, 1945, 235; paragraph added at end, 1939, 299 § 4. (See 1953, 319 §§ 39, 40.)

SECT. 83 revised, 1936, 360; amended, 1937, 186; revised, 1947, 566 § 1; sentence inserted before last sentence, 1947, 639; section revised, 1949, 783 § 1; first paragraph amended, 1950, 513, 531; revised, 1951, 774 § 1; amended, 1953, 341, 420 § 1; sentence inserted after sixth sentence, 1952, 241; paragraph added at end, 1951, 774 § 2. (See 1949, 783 §§ 3, 4; 1951, 774 § 3.)

SECT. 83A added, 1941, 677 § 1 (providing that certain district courts may join in the appointment of probation officers to act exclusively in juvenile cases therein); first paragraph amended, 1947, 566 § 2; revised, 1947, 655 § 1; amended, 1951, 563 § 1; paragraph added at end, 1951, 563 § 2. (See 1947, 655 § 3.)

SECT. 83B added, 1947, 655 § 2 (providing for the appointment of probation officers to act exclusively in juvenile cases in certain district courts in Suffolk County); repealed, 1949, 783 § 2. (See 1947, 655 § 3; 1949, 783 § 4.)

SECTS. 83C-83F added, 1948, 640 § 1 (further regulating the compensation of certain probation officers of the district courts in Suffolk county, other than the municipal court of the city of Boston, and of the Boston juvenile court); repealed, 1949, 783 § 2. (See 1949, 783 § 4.)

SECT. 84 revised, 1937, 219 § 5; 1939, 214 § 7.

SECT. 85, sentence inserted after first sentence, 1950, 145 § 1.

SECT. 87 amended, 1941, 264 § 2.

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SECT. 58A added, 1943, 311 § 1 (relative to the venue of the crime of buying, receiving or aiding in the concealment of stolen or embezzled property). (See 1943, 311 § 2.)

SECT. 58B added, 1948, 77 § 1 (relative to the venue of prosecutions for embezzlement or fraudulent conversion or appropriation by fiduciaries). (See 1948, 77 § 2.)

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Paragraph entitled "Accessory after the fact" amended by striking out all after word "punishment" in line 5, 1943, 488 § 2. (See 1943, 488 § 3.)

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The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, January 12, 1955.

I certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in general laws has been prepared, and is printed as an appendix to this edition of the laws, by direction of the Joint Committee on Rules of the General Court, in accordance with the provisions of General Laws, Tercentenary Edition, chapter 3, section 51, as amended by Acts of 1939, chapter 508, section 7.

EDWARD J. CRONIN,
Secretary of the Commonwealth.

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